

NOISE BOOK

UNIVERSAL
LIBRARY

OU_218922

UNIVERSAL
LIBRARY

OSMANIA UNIVERSITY LIBRARY

Call No.

Accession No.

Author

Title

This book should be returned on or before the date
last marked below.

PROCEEDINGS
OF THE
MEETINGS OF THE CHAMBER OF
PRINCES (NARENDRA MANDAL)

*Held at New Delhi on the 25th February 1930 and
following days.*

**Government of India Publications are obtainable from the Government of India
Central Publication Branch, 3, Government Place, West, Calcutta, and
from the following Agents:—**

EUROPE.

OFFICE OF THE HIGH COMMISSIONER FOR INDIA, INDIA HOUSE, ALDWYCH, LONDON, W. C. 2.
And at all Booksellers.

INDIA AND CEYLON: Provincial Book Depots:

MADRAS:—Superintendent, Government Press, Mount Road, Madras. **CHECKED 1956**
BOMBAY:—Superintendent, Government Printing and Stationery, Queen's Road, Bombay.
SIND:—Library attached to the Office of the Commissioner in Sind, Karachi.
BENGAL:—Bengal Secretariat Book Depot, Writers' Buildings, Room No. 1, Ground Floor, Calcutta.
UNITED PROVINCES OF AGRA AND OUDH:—Superintendent of Government Press, United Provinces of Agra and Oudh, Allahabad.
PUNJAB:—Superintendent, Government Printing, Punjab, Lahore.
BURMA:—Superintendent, Government Printing, Burma, Rangoon.
CENTRAL PROVINCES AND BEHAR:—Superintendent, Government Printing, Central Provinces, Nagpur.
ASSAM:—Superintendent, Assam Secretariat Press, Shillong.
BIHAR AND ORISSA:—Superintendent, Government Printing, Bihar and Orissa, P. O. Guizabagar, Patna.
NORTH-WEST FRONTIER PROVINCE:—Manager, Government Printing and Stationery, Peshawar.

Thacker, Spink & Co., Calcutta and Simla.
W. Newman & Co., Ltd., Calcutta.
S. K. Lahiri & Co., Calcutta.
The Indian School Supply Depot, 809, Bow Bazar Street, Calcutta.
Butterworth & Co., (India), Ltd., Calcutta.
M. C. Sarker & Sons, 15, College Square, Calcutta.
Standard Literature Company, Limited, Calcutta.
Association Press, Calcutta.
Chukerverty, Chatterjee & Co., Ltd., 13, College Square, Calcutta.
The Book Company, Calcutta.
James Murray & Co., 12, Government Place, Calcutta.
(For Meteorological Publications only.)
Ray Chaudhury & Co., 68-5, Aurochs Mukherji Road, Calcutta.
Scientific Publishing Co., 9, Taitola Lane, Calcutta.
Chatterjee & Co., 1-1, Bacharam Chatterjee Lane, Calcutta.
Standard Law Book Society, 8-2, Hastings Street, Calcutta.
The Hindu Library, 3, Nandlal Mallick Lane, Calcutta.
Kamala Book Depot, Ltd., 15, College Square, Calcutta.
Bengal Flying Club, Dum Dum Cantt. on Aviation.
Kali Charan & Co., Municipal Market, Calcutta.
B. C. Basak, Esq., Proprietor, Albert Library, Dacca.
Mittra Brothers, Calcutta.
Higginbotham, Madras.
Rochouse & Sons, Madras.
G. A. Nateson & Co., Publishers, George Town, Madras.
Theosophical Publishing House, Adyar, Madras.
P. Varadachary & Co., Madras.
S. Murthy & Co., Madras.
City Book Co., Madras.
Law Publishing Co., Mylapore, Madras.
Bright & Co., Trivandrum.
The Booklover's Resort, Talikad, Trivandrum, South India.
E. M. Gopalakrishna Kone, Pudumandapam, Madras.
Central Book Depot, Madras.
Vijayar & Co., Vizagapatnam.
Thacker & Co., Ltd., Bombay.
D. B. Taraporevala, Sons & Co., Bombay.
Sunder Pandurang, Bombay.
Ram Chandra Govind & Sons, Kalbadevi Road, Bombay.
N. M. Tripathi & Co., Booksellers, Princess Street, Kalbadevi Road, Bombay.
New and Secondhand Bookshop, Kalbadevi Road, Bombay.
Mrs. Rudlalal Atmaram Sagoon, Kalbadevi Road, Bombay.
J. M. Pandit & Co., Bombay.
Gatvali & Co., Bombay.
A. H. Wheeler & Co., Allahabad, Calcutta and Bombay.
S. Govind & Co., Sandhurst Road, Girgaon, Bombay.
Bombay Book Depot, Girgaon, Bombay.
Benneth Coleman & Co., Ltd., The Times of India Press, Bombay.
Proprietor, New Kitabkhana, Poona.
The Manager, Oriental Book Supplying Agency, 15, Shankarwar, Poona City.
Rama Krishna Bros., Opposite Vishrambag, Poona City.
E. P. Bookstall, 21, Budhwar, Poona.
Mangaldas & Sons, Booksellers and Publishers, Bhaga Talao, Surat.
The Standard Book and Stationery Co., 82-33, Arbab Road, Peshawar.
R. B. Umadkar & Co., The Bharat Book Depot, Dhawar.
The Students Own Book Depot, Dhawar.
Shri Shankar K. K. Bhandara, Madamuddi, Dhawar.
The Standard Bookstall Karachi, Quetta, Delhi, Murree and Rawalpindi.

The Karachi Book Depot, Elphinstone Street, Camp, Karachi.
The English Bookstall, Karachi.
The Standard Bookstall, Quetta.
U. P. Mahotra & Co., Quetta.
J. Ray & Sons, 43, K. & L. Edwardes Road, Rawalpindi, Murree and Lahore.
The Standard Book Depot, Lahore, Nainital, Mussoorie, Jhansi, Ambala Cantonment and Delhi.
N. B. Mathur, Supdt., Nazir Kannon Hind Press, Allahabad.
The North India Christian Tract and Book Society, 18, Clive Road, Allahabad.
Ram Dayal Agarwal, 184, Katra, Allahabad.
Ram Narain Lal, Katra, Allahabad.
The Indian Army Book Depot, Dayal Bagh, Agra.
Narayan & Co., Meerton Road, Cawnpore.
The Indian Army Book Depot, Jullundur City; Daryaganj, Delhi.
Manager, Newal Kishore Press, Lucknow.
The Upper India Publishing House, Ltd., Literature Palace, Aminuddaula Park, Lucknow.
Rai Sahib M. Gulab Singh & Sons, Multid-Am Press, Allahabad.
Rama Krishna & Sons, Booksellers, Anarkali, Lahore.
Puri Brothers, Booksellers and Publishers, Katcheri Road, Lahore.
The Tilak School Bookshop, Lahore.
The Standard Bookstall, Lahore.
The Proprietor, Punjab Sanskrit Book Depot, Saidmitha Street, Lahore.
The Insurance Publicity Co., Ltd., Lahore.
The Punjab Religious Book Society, Lahore.
The Commercial Book Co., Lahore.
The University Book Agency, Katchari Road, Lahore.
Manager of the Imperial Book Depot, 63, Chandney Chowk Street, Delhi.
J. M. Jaina and Bros., Delhi.
Fono Book Agency, New Delhi Simla.
Oxford Book and Stationery Company, Delhi, Lahore, Simla, Meerut and Calcutta.
Supdt., American Baptist Mission Press, Rangoon.
The Modern Publishing House, Ltd., 30, Phayre Street, Rangoon.
Burma Book Club, Ltd., Rangoon.
Manager, The "Hitavada," Nagpur.
Bhisey Brothers, Booksellers and Stationers, Sitabaldi, Nagpur.
S. C. Talukdar, Proprietor, Students & Co., Cooch Behar.
The Manager, Ceylon Observer, Colombo.
The Manager, The Indian Book Shop, Benares City.
Nandkishore & Bros., Ch. w. K. Benares City.
The Srivilliputtur Co-operative Trading Union, Ltd., Srivilliputtur (S. I. R.).
Raghunath Prasad & Sons, Patna City.
The Students Emporium, Patna.
K. L. Mathur and Bros., Guzri, Patna City.
Kamala Book Stores, Bikaner, Patna.
G. Banerjee & Bros., Ranchi.
Dandekar Brothers, Indore City.
Pustakalaya Sahayak Sahakar Ltd., Baroda.
M. C. Kothari, Raipura Road, Baroda.
The Hyderabad Book Depot, Chaderghat, Hyderabad (Deccan).
Thakur & Co., Anraoti.
S. Krishnaswamy & Co., Teppakulam P. O., Trichinopoly Fort.
National College Teachers' Union Book Depot, Trichinopoly.
Superintendent, Bangalore Press, Lake View, Mysore Road, Bangalore City.

SENT IN PALESTINE:—Steinmatsky, Jerusalem.

CONTENTS.

	PAGES.
1. Agenda	1—2
2. Work-card	3—5
3. Memoranda explanatory of Agenda	6—23
4. Proceedings of the first day	24—53
(a) List of Ruling Princes and Chiefs present on the first day	24
(b) Opening speech by His Excellency the Viceroy	25—31
(c) Resolution by His Highness the Maharaja of Patiala expressing gratification at the complete recovery of His Imperial Majesty the King-Emperor	31—36
(d) Resolution by His Highness the Maharaja of Patiala regarding the recent dastardly attempt on the life of Their Excellencies	36—42
(e) Resolution of condolence by His Highness the Maharaja of Patiala in connection with the death of Their Highnesses the Maharaja of Bharatpur, the Maharaj Rana of Jhalawar and the Raja of Lunawada, and the Thakore Saheb of Rajkot	42—43
(f) Resolution of welcome by His Highness the Maharaja of Patiala to Their Highnesses the Maharaj Rana of Jhalawar and the Raja of Narsingarh	43—45
(g) Statement by His Highness the Maharaja of Patiala reviewing the work performed by the Chamber of Princes during the past year	45—53
5. Proceedings of the second day	54—70
(a) List of Ruling Princes and Chiefs present on the second day	54
(b) Statement by His Highness the Maharaja of Kapurthala regarding his work as a representative of India at the meeting of the League of Nations in 1929	55—61
(c) Resolution by His Highness the Nawab of Maler Kotla that votes cast in favour of such members as have intimated their intention not to stand for election shall be considered as cancelled	62
(d) Resolution by His Highness the Maharaja of Patiala regarding amendment of Regulation 3 of Part I of the First Regulations relating to the appointment of Chancellor and Pro-Chancellor	62—64
(e) Resolution by His Highness the Maharaja of Patiala regarding amendment of Rule 3 of the Rules of Business relating to the notice to be given for proposing subjects for inclusion in the agenda of the Chamber	64—65
(f) Question of Radio Broadcasting in British India and its application to Indian States	65—66
(g) Question of Dealings between Indian States and Capitalists and Financial Agents	66—68
(h) Resolution by His Highness the Maharaja of Kapurthala regarding the leadership of the Indian Delegation to the League of Nations	68—70
6. Proceedings of the third day	71—102
(a) List of Ruling Princes and Chiefs present on the third day	71
(b) Election of the Chancellor	72—73
(c) Election of the Pro-Chancellor	73
(d) Election of the Standing Committee	74
(e) Election of substitute Members of the Standing Committee	75—76
(f) Resolution by His Highness the Maharaja of Patiala regarding the Viceroy's announcement of 31st October 1929	76—82

	PAGES.
(g) Resolution by His Highness the Maharaja of Patiala regarding the appointment of the Indian States Committee	83—101
(h) Resolution by His Highness the Chief of Sangli regarding the authorisation of a representative committee to negotiate on behalf of the Chamber in pursuance of the resolutions adopted	101—102
7. Proceedings of the fourth day	103—138
(a) List of Ruling Princes and Chiefs present on the fourth day	103
(b) Resolution by His Highness the Nawab of Bhopal regarding Sanads, Treaties and Engagements and the position of Paramount Power in respect of them	104—108
(c) Resolution by His Highness the Nawab of Bhopal regarding the revision of the constitution of the Chamber of Princes and enlargement of its powers	108—118
(d) Resolution by His Highness the Maharaja of Kashmir regarding the appointment of an expert body to explore the fiscal claims of the States	119—123
(e) Resolution by His Highness the Maharaja of Bikaner regarding the definition of the bases of intervention in the internal affairs of the States	123—133
(f) Resolution by His Highness the Maharaja of Alwar regarding the relationship of the States with the Crown	133—138
8. Proceedings of the fifth day	139—175
(a) List of Ruling Princes and Chiefs present on the fifth day	139
(b) Resolution by His Highness the Maharaja of Bikaner regarding the doctrine of Usage and Political Practice	140—150
(c) Resolution by His Highness the Maharaja of Kashmir regarding the creation of effective machinery for the settlement of matters of common concern to British India and the States	150—153
(d) Resolution by His Highness the Maharaja of Alwar regarding the personal and dynastic status of Rulers	153—159
(e) Resolution by His Highness the Maharaja of Nawanganagar regarding adjudication on matters of justiciable and non-justiciable nature	159—162
(f) Resolution by His Highness the Maharaja of Patiala regarding the Indian Statutory Commission	163—165
(g) Resolution by His Highness the Maharaja of Alwar regarding the policy of separation of British India from the British Empire	165—169
(h) Reply of the Members and Representative Members to the Opening Address of His Excellency the Viceroy	169—173
(i) Concluding remarks by His Excellency the Viceroy	173—175
9. Resolutions passed by the Chamber of Princes during the present session	176—183

AGENDA.

CHAMBER OF PRINCES.

February—March 1930.

1. Resolution by His Highness the Maharaja of Patiala expressing gratification at the complete recovery of His Imperial Majesty the King-Emperor.

1-A. Resolution by His Highness the Maharaja of Patiala regarding the recent dastardly attempt on the life of Their Excellencies.

2. Resolution of condolence by His Highness the Maharaja of Patiala in connection with the death of Their Highnesses the Maharaja of Bharatpur, the Maharaj-Rana of Jhalawar and the Raja of Lunawada and the Thakore Sahab of Rajkot.

3. Resolution of welcome by His Highness the Maharaja of Patiala to Their Highnesses the Maharaj-Rana of Jhalawar and the Raja of Narsingarh.

4. To receive a statement from His Highness the Maharaja of Patiala reviewing the work performed by the Chamber of Princes during the past year.

5. To receive a statement from His Highness the Maharaja of Kapurthala regarding his work as a representative of India at the meeting of the League of Nations in 1929.

6. Resolution by His Highness the Maharaja of Patiala regarding amendment of Regulation 3 of Part I of the First Regulations relating to the appointment of Chancellor and Pro-Chancellor.

7. Resolution by His Highness the Maharaja of Patiala regarding amendment of Rule 3 of the Rules of Business relating to the notice to be given for proposing subjects for inclusion in the agenda of the Chamber.

8. Resolution by His Highness the Nawab of Malerkotla that it be made clear in the Rules for the elections of the Chancellor and Pro-Chancellor, and Members and substitute Members of the Standing Committee that votes cast in favour of those candidates who have intimated their intention not to stand shall be considered as cancelled.

9. To consider the recommendation of the Standing Committee in regard to the question of Radio Broadcasting in British India and its application to Indian States.

10. To consider the recommendation of the Standing Committee regarding the question of Dealings between Indian States and Capitalists and Financial Agents.

11 (General). Resolution by His Highness the Maharaja of Patiala regarding the appointment of the Indian States Committee.

(1) Resolution by His Highness the Chief of Sangli regarding the authorisation of a representative committee to negotiate on behalf of the Chamber in pursuance of the resolutions adopted.

(2) Resolution by His Highness the Nawab of Bhopal regarding Sanads, Treaties and Engagements and the position of the Paramount Power in respect of them.

(3) (Part 1). Resolution by His Highness the Nawab of Bhopal regarding the revision of the constitution of the Chamber of Princes and enlargement of its powers.

(3) (Part 2). Resolution by His Highness the Maharaja of Alwar to the effect that matters affecting the personal and dynastic status of Rulers should be the subject of decision by His Excellency the Viceroy, as representative of the Crown, in consultation with selected members of the Order of Princes.

(3) (Part 3). Resolution by His Highness the Maharaja of Nawanagar regarding the creation of suitable machineries to adjudicate on matters of justiciable nature and to arbitrate on those of non-justiciable nature in issue between the British Government or British India and the Indian States or between the Indian States *inter se*.

(4). Resolution by His Highness the Maharaja of Kashmir regarding the appointment of an expert body to explore the fiscal claims of the States.

(5). (Part 1). Resolution by His Highness the Maharaja of Bikaner regarding the definition of the bases of intervention in the internal affairs of the States.

(5) (Part 2). Resolution by His Highness the Maharaja of Bikaner regarding the doctrine of Usage and Political Practice.

(6) Resolution by His Highness the Maharaja of Alwar regarding the relationship of the States with the Crown.

(7) Resolution by His Highness the Maharaja of Kashmir regarding the creation of effective machinery for the settlement by mutual agreement of matters of common concern to British India and the States.

12. Resolution by His Highness the Maharaja of Patiala regarding the Viceroy's Announcement of 31st October, 1929.

13. Resolution by His Highness the Maharaja of Kapurthala regarding the leadership of the Indian Delegation to the League of Nations.

14. Elections of the—

(i) Chancellor,

(ii) Pro-Chancellor,

(iii) Standing Committee, and .

(iv) Substitute Members of the Standing Committee.

WORK-CARD.**Chamber of Princes (Narendra Mandal).**

(To be held in the Princes' Chamber, Council House, New Delhi, at 11 a. m. daily.)

February—March, 1930.

Tuesday, the 25th February. (11 a. m.)

1. His Excellency the Viceroy will on arrival greet the Members and Representative Members, who will be presented individually by the Chancellor.

2. His Excellency the Viceroy will deliver an address.

3. Resolution by His Highness the Maharaja of Patiala expressing gratification at the complete recovery of His Imperial Majesty the King-Emperor. (Agendum No. 1.)

4. Resolution by His Highness the Maharaja of Patiala regarding the recent dastardly attempt on the life of Their Excellencies. (Agendum No. 1-A.).

5. Resolution of condolence by His Highness the Maharaja of Patiala in connection with the death of Their Highnesses the Maharaja of Bharatpur, the Maharaj-Rana of Jhalawar and the Raja of Lunawada, and the Thakore Sahib of Rajkot. (Agendum No. 2).

6. Resolution of welcome by His Highness the Maharaja of Patiala to Their Highnesses the Maharaj-Rana of Jhalawar and the Raja of Narsingarh. (Agendum No. 3).

7. To receive a statement from His Highness the Maharaja of Patiala reviewing the work performed by the Chamber of Princes during the past year. (Agendum No. 4).

Wednesday, the 26th February. (11 a. m.)

1. To receive a statement from His Highness the Maharaja of Kapurthala regarding his work as a representative of India at the meeting of the League of Nations in 1929. (Agendum No. 5).

2. Resolution by His Highness the Nawab of Malerkotla that it be made clear in the Rules for the elections of the Chancellor and Pro-Chancellor, and Members and Substitute Members of the Standing Committee that votes cast in favour of those candidates who have intimated their intention not to stand shall be considered as cancelled. (Agenda No. 8).

3. Resolution by His Highness the Maharaja of Patiala regarding amendment of Regulation 3 of Part I of the First Regulations relating to the appointment of Chancellor and Pro-Chancellor. (Agendum No. 6).

4. Resolution by His Highness the Maharaja of Patiala regarding amendment of Rule 3 of the Rules of Business relating to the notice to be given for proposing subjects for inclusion in the agenda of the Chamber. (Agendum No. 7).

5. To consider the recommendation of the Standing Committee in regard to the question of Radio Broadcasting in British India and its application to Indian States. (Agendum No. 9).

6. To consider the recommendation of the Standing Committee regarding the question of Dealings between Indian States and Capitalists and Financial Agents. (Agendum No. 10).

7. Resolution by His Highness the Maharaja of Kapurthala regarding the leadership of the Indian Delegation to the League of Nations. (Agendum No. 13).

Thursday, the 27th February.

Morning (11 a. m.)

1. Elections of the—

(i) Chancellor,

(ii) Pro-Chancellor,

(iii) Standing Committee, and

(iv) Substitute Members of the Standing Committee.

(Agendum No. 14).

2. Resolution by His Highness the Maharaja of Patiala regarding the Viceroy's Announcement of 31st October, 1929. (Agendum No. 12).

Afternoon (3 p. m.)

1. Resolution by His Highness the Maharaja of Patiala regarding the appointment of the Indian States Committee. [Agendum No. 11 (General).]

2. Resolution by His Highness the Chief of Sangli regarding the authorisation of a representative committee to negotiate on behalf of the Chamber in pursuance of the resolutions adopted. [Agendum No. 11 (1).]

Friday, the 28th February.

Morning (11-30 a. m.)

1. Resolution by His Highness the Nawab of Bhopal regarding Sanads, Treaties and Engagements and the position of the Paramount Power in respect of them. [Agendum No. 11 (2).]

2. Resolution by His Highness the Nawab of Bhopal regarding the revision of the constitution of the Chamber of Princes and enlargement of its powers. [Agendum No. 11 (3) (Part 1).]

Afternoon (3 p. m.)

1. Resolution by His Highness the Maharaja of Kashmir regarding the appointment of an expert body to explore the fiscal claims of the States. [Agendum No. 11 (4).]

2. Resolution by His Highness the Maharaja of Bikaner regarding the definition of the bases of intervention in the internal affairs of the States. [Agendum No. 11 (5) (part 1).]

3. Resolution by His Highness the Maharaja of Alwar regarding the relationship of the States with the Crown [Agendum No. 11 (6).]

Saturday, the 1st March (11 a. m.).

1. Resolution by His Highness the Maharaja of Bikaner regarding the doctrine of Usage and Political Practice. [Agendum No. 11 (5) (part 2).]

2. Resolution by His Highness the Maharaja of Kashmir regarding the creation of effective machinery for the settlement by mutual agreement of matters of common concern to British India and the States. [Agendum No. 11(7).]

3. Resolution by His Highness the Maharaja of Alwar to the effect that matters affecting the personal and dynastic status of Rulers should be the subject of decision by His Excellency the Viceroy, as representative of the Crown, in consultation with selected members of the Order of Princes. [Agendum No. 11 (3) (part 2).]

4. Resolution by His Highness the Maharaja of Nawanagar regarding the creation of suitable machineries to adjudicate on matters of justiciable nature and to arbitrate on those of non-justiciable nature in issue between the British Government or British India and the Indian States or between the Indian States *inter se* [Agendum No. 11 (3) (part 3).].

5. Reply of the Members and Representative Members to His Excellency the Viceroy's Opening Address.

6. His Excellency the Viceroy will conclude the proceedings.

Memorandum Explanatory of Agendum No. 1.

The following resolution will be moved by His Highness the Maharaja of Patiala:—

That the Ruling Princes and Chiefs represented in this Chamber request His Excellency the President of the Chamber to be so kind as to convey to His Majesty the King-Emperor an expression of their deep and unfaltering devotion to the Throne, together with their profound happiness and relief at His Majesty's complete restoration to health.

Memorandum Explanatory of Agendum No. 1-A.

The following resolution will be moved by His Highness the Maharaja of Patiala:—

That this Chamber places on record its emphatic condemnation of the recent insensate and dastardly attempt on the life of Their Excellencies, and tenders its heartiest congratulations on their most providential escape.

Memorandum Explanatory of Agendum No. 2.

The following resolution will be moved by His Highness the Maharaja of Patiala:—

That the Chamber of Princes records its heartfelt sorrow at the lamentable demise of Their Highnesses the Maharaja Sahib of Bharatpur, the Maharaj-Rana of Jhalawar and the Raja Sahib of Lunawada and the Thakore Sahib of Rajkot, together with its sense of the loss thereby sustained by the entire Order of Princes, and offers its sincerest sympathies and condolences to the bereaved families.

Memorandum Explanatory of Agendum No. 3.

The following resolution will be moved by His Highness the Maharaja of Patiala:—

That the Chamber of Princes offers its heartiest congratulations to Their Highnesses the Maharaj-Rana of Jhalawar and the Raja Sahib of Narsingarh on their accession to the Gaddi and welcomes them in its midst wishing them a long and prosperous rule.

Memorandum Explanatory of Agendum No. 6.

The following resolution will be moved by His Highness the Maharaja of Patiala:—

That this Chamber recommends to His Excellency the Viceroy that the following be substituted for the first paragraph of Regulation 8 of

Part I of the First Regulations regarding the appointment of Chancellor and Pro-Chancellor:—

In the event of a casual vacancy occurring from any cause in the office of the Chancellor the Pro-Chancellor shall act as Chancellor during the vacancy and be designated Officiating Chancellor, provided that, if the Chancellor goes out of India on duty connected with the work of the Chamber, he shall retain the office of Chancellor while abroad, the Pro-Chancellor performing his duties in India during his (the Chancellor's) absence. In the event of a casual vacancy occurring from any cause in the office of the Pro-Chancellor, the Member who at the last preceding election of the Standing Committee obtained the highest number of votes shall take his place, and failing him, the Member who stood second in the voting, and so on.

Memorandum Explanatory of Agendum No. 7.

The following resolution will be moved by His Highness the Maharaja of Patiala:—

That this Chamber recommends to His Excellency the Viceroy that Rule 3 of the Rules for the Conduct of Business in the Chamber be amended, by inserting the words "at least" before the words "two months", to make it permissible for Members to give written notice of their intention to propose any subject for inclusion in the agenda more than two months before the session of the Chamber of Princes.

Memorandum Explanatory of Agendum No. 8.

The following resolution will be moved by His Highness the Nawab of Malerkotla:—

That this Chamber recommends to His Excellency the Viceroy that the following be added at the end of Rule 3 of the Rules for the Elections of the Chancellor and Pro-Chancellor and the Standing Committee, forming respectively Appendices A and B to the First Regulations of the Constitution of the Chamber:—

"Votes recorded in favour of such Members shall be considered as cancelled."

Memorandum Explanatory of Agendum No. 9.

Radio Broadcasting in British India and its application to Indian States.

1. The summary by the Government of India (Enclosure I to this Memorandum) and the Memorandum by the Director of Wireless (Enclosure II to this Memorandum) containing the proposals on the above subject, were considered by the Standing Committee in February 1925.

9

The Standing Committee—

- (i) accepted the suggestion in paragraph 8 of the **Director's Memorandum**, the arrangements to be on a reciprocal basis as outlined in paragraph 7 thereof; it being understood that the respective States would exercise control over the conditions of the broadcast receiver licenses granted by them;
- (ii) suggested that the Indian States should accept a broadcast receiver license fee of Rs. 12 of which Rs. 10 should accrue to the Broadcasting Company, and
- (iii) expressed their opinion that, as they had no experience of radio broadcasting, any conclusions arrived at might require revision in the future.

The suggestions of the Committee were generally approved by the Chamber of Princes at their meeting in January 1926.

2. The summary and the Director's Memorandum together with the suggestions of the Standing Committee as approved by the Chamber of Princes were circulated to local Governments, Political Officers and Darbars.

3. The broadcast receiver license fee of Rs. 12 and the Broadcasting Company's share of Rs. 10 were subsequently reduced in British India to Rs. 10 and Rs. 8 respectively. The Standing Committee in their meeting held in May 1926, recommended that a similar reduction should be made in the case of Indian States. And this recommendation was approved by the Chamber of Princes in November of the same year.

4. The summary as prepared by the Government of India after consultation with local Governments, Political Officers and Darbars (Column I of Enclosure III to this Memorandum), was considered by the Standing Committee of the Chamber of Princes at their meeting on the 10th January 1929 and was revised by the Committee (as shown in Column II of Enclosure III to this Memorandum).

5. As a result of the examination of the Summary as revised by the Standing Committee (Column II of Enclosure III to this Memorandum) the Government of India considered it necessary to make certain further minor amendment therein (*vide* Column III of Enclosure III to this Memorandum). The Summary as finally revised by the Government of India (Column III of Enclosure III to this Memorandum) was again referred to the Standing Committee on the 22nd March 1929, who approved and passed it for presentation to the Chamber of Princes.



Enclosure I.

SUMMARY AS ORIGINALLY PREPARED BY THE GOVERNMENT OF INDIA.

Radio Broadcasting in British India and its application to Indian States.

Broadcast Receivers.—The Government of India propose to license private enterprise to provide Broadcasting services in British India in the near future. It is the intention that the Director General of Posts and Telegraphs will issue at certain Post Offices in British India licenses for Broadcast Receivers on demand and on payment of an annual fee of Rs. 10. Of this fee Rs. 8 will accrue to the licensee of the Broadcasting Station. Records of the name and address of Broadcast Receiver Licensees and the location of their receivers will be kept. Under existing conditions such licenses will not be issued in respect of Receivers to be located in an Indian State. There appears to be no reason, however, why private individuals in Indian States should be deprived of the pleasures and benefits of "listening in" to Broadcasting Stations operating in British India, and it seems desirable to devise some arrangement whereby listeners-in in Indian States may subscribe their share to the Broadcasting Service in the same manner as listeners-in in British India.

It is suggested accordingly that arrangements should be made whereby a State might issue its own licenses to persons wishing to use Broadcast Receivers in the State and hand over a proportion of the fees to any Broadcasting Company which, although erected in British India, does in fact serve the State.

Enclosure II.

MEMORANDUM BY THE DIRECTOR OF WIRELESS REGARDING BROADCASTING IN INDIA.

"Broadcasting" means the transmission from a single radio-telephone station of broadcast matter* which may be received by any number of separate broadcast receivers established within the range of the transmitter.

The range of a broadcasting station depends primarily on its power, but the quality of the broadcast receiver directly governs the distance from the broadcasting station over which the former will be efficient. All broadcast receivers are comparatively small and portable; they may be arranged either with an outside aerial or with a frame which may vary from those which are less than a foot square and fixed to the receiver to those eight or ten feet square. Broadcast receivers require no power beyond a small accumulator battery and cannot be used as transmitters. As an indication of range, it may be stated that the London Broadcasting station transmitting with six kilowatts has a reliable range to the cheapest form of crystal receiver of about 30 miles while the same receiver will read a 25 kilowatt station up to about 200 miles reliably. The 14 kilowatt transmitter at Calcutta is readable to a broadcast receiver costing about Rs. 300 in Lahore and Rawalpindi.

*"Broadcast matter" means concerts, lectures, educational subjects, weather reports, theatrical entertainments and any other matter (including news and other information) from time to time approved by the Postmaster-General. British Broadcasting License—Definition).

2. In British India the establishment, maintenance and working of all privately owned radio stations whether for transmission or reception is controlled by licenses under the Indian Telegraph Act, 1885, and the import of radio apparatus is only permitted under license under the Sea Customs Act. At present a customs duty of 2½ per cent. is levied on all such apparatus imported into British India and an annual fee of Rs. 10 is charged for every import license and for every license to establish, maintain and work any radio transmitter or receiver.

3. At present three Radio Clubs in British India are licensed to broadcast, but in order to place broadcasting in British India on a commercial basis it is proposed:—

- (a) to license one company (registered in British India with rupee capital) to provide *broadcasting services* for the whole of British India;
- (b) to grant this company a license for 10 years with a *monopoly for providing broadcasting services* for the first five years only;
- (c) to place no restrictions on and permit no monopoly as regards the manufacture and sale of *broadcast receivers* in British India nor on the type or country of origin of such receivers and their component parts as may be imported into British India;
- (d) to issue licenses for broadcast receivers from Head Post Offices on demand and on payment of an annual fee of Rs. 10 without undue formality and without restriction as to the age, sex or nationality of the applicant, but subject to certain conditions (See Appendix A);

(NOTE.—These licenses are already in existence and many have been issued for receivers in British India, but since they are not valid in Indian States none are issued in respect of receivers therein.)

- (e) to afford the Government full control over broadcasting stations in order to prevent their misuse, ensure a satisfactory programme and enable them to be taken over in emergency, also to afford the Local Government of the Province in which a broadcasting station is located certain necessary powers especially as regards censorship (See Appendix B);
- (f) to strictly define the matter which may be broadcasted (See Appendix C);
- (g) to hand over to the broadcasting company 80 per cent. of all fees for licenses granted for the erection, maintenance and working of wireless telegraphs in British India, whether broadcast receiver licenses or otherwise;
- (h) to make such other provision either by increasing customs duty on receivers and their components and giving a share to broadcasting company or otherwise as may be found necessary to ensure that the income of the broadcasting company is sufficient to provide adequate programmes and give a reasonable commercial return to the company.

4. The establishment and operation of broadcasting service to provide adequate programmes is a costly business. The capital cost of a broadcasting station in India including plant, buildings, masts and land, and capable of efficiently serving an area of 200 miles radius to first class broadcast receivers, should not exceed Rs. 1,00,000. By far the largest proportion of the annual cost is incurred in provision of programmes, and taking all things into consideration it is estimated that a broadcasting station as indicated above would entail an annual outlay of Rs. 30,000 in respect of staff, apparatus and plant, etc., and Rs. 1,50,000 in respect of the provision of programmes. Excluding interest on capital, etc., it would, therefore, require some 22,500 broadcast receiver licenses to be issued in the area served by the broadcasting station in order to meet the total annual cost of the station.

5. The revenue of a broadcasting company must mainly depend on the number of licenses which are granted [*vide* 3 (g) above]. Other sources of revenue may be derived from the broadcasting of advertisements, the payment for matter broadcasted, and royalties or fees paid to the broadcasting company by manufacturers of broadcast receivers.

6. Therefore, it is necessary that every person who listens to broadcasting stations should pay a fee for his receiver and that a share of this fee should accrue to the broadcasting company.

7. In many parts of British India where a broadcasting station might be erected its programmes will be easily readable in Indian States, and *vice versa*. It therefore appears desirable that there should be some arrangement whereby listeners in Indian States contribute to the revenue of broadcasting stations in British India, and *vice versa*.

8. It is therefore suggested that Indian States should:—

- (a) grant broadcast receiver licenses subject to such conditions as the State thinks fit, observing that the procedure and conditions applicable to British India would possibly be equally applicable in most Indian States, with such modifications as may be found necessary;
- (b) charge an annual fee for each broadcast receiver licenses;
- (c) pay a share of this fee to any broadcasting station which although operating in British India does in fact serve an Indian State.



APPENDIX A.

Form of Broadcast Receiver License.

(The conditions are printed at foot of the Form.)

(W. T. 102.)
LICENSE.

Registered No.....

INDIAN TELEGRAPH ACTS, 1882—1914.

License to establish a Wireless Receiving Station.

(Broadcast Receiver.)

M.....

(Name in full)

of.....

(Address in full)

is hereby authorised (subject in all respects to the conditions set forth below)* to erect and work a wireless station for the purpose of receiving messages at.....

(Location of the station)

for a period ending on the last day of the month of.....193..... The payment of the license fee of Rs. 10 is hereby acknowledged.

Registered No. of Expired License.....

Dated.....day of 193.....Date stamp

Issued on behalf of the }
Director-General of Posts }
and Telegraphs. }.....
Postmaster,

Signature of Licensee.....

*CONDITIONS. •

1. The Licensee shall not permit the station to be used for any purpose other than that of receiving messages.

2. The station shall not be used in such a manner as to cause interference with the working of other stations. In particular, reaction must not be used to such an extent as to energeise any neighbouring aerial.

3. An aerial which crosses over or is liable to fall or to be blown upon any telegraph or telephone line or overhead power wire (including electric lighting and tramway wires) must be guarded to the reasonable satisfaction of the owner of the power line or lines concerned so as to prevent any damage being done in the event of a break occurring.

4. The Licensee shall not divulge or allow to be divulged to any person (other than a duly authorised officer of the Government of India or a competent legal tribunal) or make any use whatsoever of any message received by means of the licensed station other than time signals, musical or other programmes and messages transmitted for general reception, under the penalties specified in the Telegraph Act.

5. The station shall be open to inspection at all reasonable times by any officer duly authorised by the Director-General of Posts and Telegraphs. At the request of such authorised officer this license shall be produced for inspection.

6. This license may be cancelled by the Director-General of Posts and Telegraphs at any time either by specific notice in writing sent by registered post to the Licensee at the address shown hereon, or by means of a notice published in the *Gazette of India* addressed to all holders of wireless receiving licenses, and will be cancelled on the breach of any of the foregoing conditions. In the event of cancellation no part of the fee will be returned.

7. Any change of address must be promptly communicated to the Issuing Postmaster and the license returned in order that the necessary amendments may be made thereon.

8. The location of the station may be altered temporarily at the discretion of the Licensee, but if it is intended that the station shall leave the original location for a period exceeding one month, the Licensee must inform the Issuing Postmaster and return this license for endorsement.

9. If it is desired to continue to maintain the station after the date of expiration, this license must be renewed *within fourteen days*. Heavy penalties are prescribed by the Indian Telegraph Acts, 1882—1914, on conviction of the offence of establishing a wireless station without the license of the Director-General of Posts and Telegraphs.

10. The Licensee shall not assign, underlet or otherwise dispose of this license to any other person or body.

11. The Licensee shall at all times indemnify the Director-General of Posts and Telegraphs, India, against all actions, claims and demands which may be brought or made by any corporation, company or person in respect of any injury arising from any act licensed or permitted in this license.

APPENDIX B.

OUTLINE OF CONTROL OVER BROADCASTING STATIONS.

The license for broadcasting stations will contain provisions entitling the Government to:—

- (a) inspect broadcasting stations;
- (b) take over, operate or close down the station or impose a complete censorship in times of emergency;
- (c) require the broadcasting station to maintain a broadcast receiver for the use of Government;
- (d) impose a complete or partial prohibition or pre-censorship either generally or specially at any time;
- (e) issue any special or general instructions as regards the matter which may or may not be broadcasted or as to the persons who may or may not broadcast;
- (f) specify the sources from which news and information in the nature of news may be obtained and the times of broadcasting the same although other broadcast matter will be allowed at any time;
- (g) terminate the license at any time in the event of improper or inefficient use of the broadcasting station;
- (h) require the broadcasting station to broadcast free of cost to Government weather reports, forecasts, Government notices and communiqués and educational propaganda or other Government matter provided the time taken out of the ordinary programme does not exceed 10 per cent.

2. The Local Government of the Province in which the broadcasting station is located will also be entitled to exercise the rights set out in (b), (c), (d), (e) and (h) above.

APPENDIX C.

Programmes.

I.—ENTERTAINMENT BROADCASTING.

Compulsory—

Weather Reports and Forecasts	[Note (1)]
Government Communiques and Notices	[Note (2)]

Optional—

Concerts and other Musical Items	..
Theatrical entertainments and Items	..
Students' Programmes	[Note (3)]
Lectures, Readings or Addresses, provided the subject is entirely non-political	..
Children's Programmes	..
News	[Note (4)]
Extracts from Newspapers and periodicals	[Note (5)]
Speeches, provided that Government has previously approved of the speech and/or the Speaker	..
Advertisements	[Note (6)]
Any other matter subject to the general or special permission of Government	..

II.—TOLL BROADCASTING.

Compulsory—

Government Communiques and Notices	[Note (2)]
--	-------------

Optional—

Market and Exchange Quotations and Reports	..
News	[Note (4)]
Commercial and Financial Information	..
Advertisements	[Note (6)]

Notes.—(1) Will be supplied by Director-General, Observatories.

(2) If so required by Government.

(3) Strictly confined to educational matter of a non-political nature.

(4) Strictly confined to press messages supplied by specified News Agencies approved by Government.

(5) If such extracts are in the nature of the news of comments on news they must be subject to previous arrangement with the News Agencies in each case. Licensees are not permitted to broadcast any extracts from newspapers on behalf of the newspaper concerned either gratuitously or on payment without the previous concurrence of the approved News Agencies.

(6) In order that the standard of programme may be maintained the amount of advertisement matter permitted shall not normally exceed 10 per cent. of any programme as regards the time taken to broadcast.

Enclosure III.

RADIO BROADCASTING IN BRITISH INDIA AND ITS APPLICATION TO INDIAN STATES.

Summary as prepared by the Government of India.

I.

1. Indian States are entitled to grant their own Broadcast Receiver licenses within their respective territories. It is, however, desirable that the procedure and conditions applicable to British India should be observed with such modifications as may be found necessary.

2. The annual fee to be charged for a Broadcast Receiver license should be the same in Indian States as in British India; the present rate in British India is Rs. 10 per license.

3. Each State should retain the broadcast receiver license fees it collects and should have no claim to a share of similar license fees levied by any other State or in British India. Similarly British India should have no claim to the broadcast receiver license fees collected by an Indian State.

Summary as revised by the Standing Committee in January 1929.

II.

1. Indian States are entitled to grant their own Broadcast Receiver license within their respective territories. It is, however, desirable that the procedure and conditions applicable to British India should be observed with such modifications as may be found necessary.

2. The annual fee to be charged for a Broadcast Receiver license should be the same in Indian States as in British India; the present rate in British India is Rs. 10 per license.

3. Each State, and British India, should collect the broadcasting receiver license fees for stations within its own territory and would have no claim to a share of similar license fees for stations outside its own territory; but the collecting authority would of course be free to pay any share of the fees collected to any broadcasting agency, whether inside or outside its territory, which does in fact provide a broadcasting service to stations within that territory.

Summary as further revised by the Government of India.

III.

1. Indian States are entitled to grant their own Broadcast Receiver licenses within their respective territories. It is, however, desirable that the procedure and conditions applicable to British India should be observed with such modifications as may be found necessary.

2. The annual fee to be charged for a Broadcast Receiver license should be the same in Indian States as in British India; the present rate in British India is Rs. 10 per license.

3. Each State should collect the broadcasting receiver license fees for stations within its own territory and would have no claim to a share of similar license fees for stations outside its own territory, but the collecting authority would of course be free to pay any share of the fees collected to any broadcasting agency, whether inside or outside its territory, which does in fact provide a broadcasting service to stations within that territory.

4. Indian States should be free to establish broadcast transmitting stations within their respective territories but for the reasons explained in the Resolution of the Government of India in the Foreign and Political Department, No. 496-I., dated the 27th May 1926, the Government of India should first be consulted and the provisions contained in that Resolution should be observed.

5. The Government of India invite Darbars alike in the interests of the Empire and their own interests to introduce such general principles of censorshipship as may from time to time be imposed in British India. At present in British India nothing can be broadcasted which offends against public morals or is of seditious tendency or is likely to arouse racial, religious or communal animosity, or contains statements on topics of political or industrial controversy.

6. With regard to the importation of Radio-apparatus through the Port of an

4. Indian States should be free to establish broadcast transmitting stations within their respective territories but for the reasons explained in the Resolution of the Government of India in the Foreign and Political Department, No. 496-I., dated the 27th May 1926, the Government of India should first be consulted and the provisions contained in that Resolution should be observed.

5. The Government of India invite Darbars alike in the interests of the Empire and their own interests to introduce such general principles of censorshipship as may from time to time be imposed in British India. At present in British India nothing can be broadcasted which offends against public morals or is of seditious tendency **either against the British Government or the States** or is likely to arouse racial religious or communal animosity or contains statements on topics of political or industrial controversy.

6. With regard to the importation of Radio-apparatus through the Port of an

4. Indian States should be free to establish broadcast transmitting stations within their respective territories but for the reasons explained in the Resolution of the Government of India in the Foreign and Political Department, No. 496-I., dated the 27th May 1926, the Government of India should first be consulted and the provisions contained in that Resolution should be observed.

5. The Government of India invite Darbars alike in the interests of the Empire and their own interests to introduce such general principles of censorshipship as may from time to time be imposed in British India. At present in British India nothing can be broadcasted which offends against public morals or is of seditious tendency or is likely to arouse racial religious or communal animosity, or contains statements on topics of political or industrial controversy. **If the Chamber agrees to the policy proposed, instructions will be issued to the authorities concerned with censorship in British India to the effect that the term "seditions" is to be understood as including matter offending against States in India.**

6. With regard to the importation of Radio-apparatus through the Port of an

Indian State, the Government of India would be glad if the Darbar concerned would levy customs duty thereon at rates not lower than those in force at ports in British India. It is also considered desirable that persons wishing to import wireless apparatus into an Indian State should be required by the Darbar concerned to enter into an undertaking that the apparatus thus imported will not be taken into British India except under license from the Government of India.

7. The abovementioned principles will be liable to revision in the light of subsequent experience.

Indian State, the Government of India would be glad if the Darbar concerned would levy customs duty thereon at rates not lower than those in force at ports in British India. It is also considered desirable that persons wishing to import wireless apparatus into an Indian State should be required by the Darbar concerned to enter into an undertaking that the apparatus thus imported will not be taken into British India except under license from the Government of India.

7. The abovementioned principles will be liable to **mutual** revision in the light of subsequent experience.

Indian State, the Government of India would be glad if the Darbar concerned would levy customs duty thereon at rates not lower than those in force at ports in British India. It is also considered desirable that persons wishing to import wireless apparatus into an Indian State should be required by the Darbar concerned to enter into an undertaking that the apparatus thus imported will not be taken into British India except under license from the Government of India.

7. The abovementioned principles will be liable to mutual revision in the light of subsequent experience.

Memorandum Explanatory of Agendum No. 10.*Dealings between Indian States and Capitalists and Financial Agents.*

The Summary as approved by the Chamber of Princes at their meeting of November 1924 (shown in Column V of the enclosed statement of Summaries) was circulated for the views of the Local Governments, Political Officers and Darbars. As a result of the criticisms which were received, certain modifications were made (*vide* Column VI of enclosure).

2. The Summary thus modified was placed before the Standing Committee at their meeting held in October 1929 and, in consultation with them, was further amended. The amended Summary (Column VII of enclosure) is now placed before the Chamber of Princes. Before issuing a Resolution promulgating their future policy on the subject, the Government of India will be glad to consider further views, if any, which Members or Representative Members may have to urge.

Memorandum Explanatory of Agendum No. 11 (General).

The following resolution will be moved by His Highness the Maharaja of Patiala:—

That this Chamber places anew on record its appreciation of the active sympathy evinced by His Excellency the Viceroy in supporting the request of the Princes for the appointment of a Committee to enquire into their problems.

Memorandum Explanatory of Agendum No. 11 (1).

The following resolution will be moved by His Highness the Chief of Sangli:—

That this Chamber authorises the Princes of its Standing Committee, with power to co-opt to take such general action as may be necessary from now till the next meeting of the Chamber, and, especially, to undertake negotiations in furtherance of the Resolutions adopted at this session and on other occasions.

Memorandum Explanatory of Agendum No. 11 (2).

The following resolution will be moved by His Highness the Nawab of Bhopal:—

(a) That this Chamber is of opinion that the grant of a Sanad by the Paramount Power confirming to a State a right which inherently belonged to it does not entitle the Paramount Power to claim that it has created that right in the exercise of its paramountcy.

(b) That this Chamber is of opinion that no Sanads imposed by the Paramount Power can supersede previously existing treaties or engagements between it and a State.

Memorandum Explanatory of Agendum No. 11 (3) (part 1).

The following resolution will be moved by His Highness the Nawab of Bhopal:—

That this Chamber is of opinion that the time has arrived to revise its constitution and to enlarge its powers.

Memorandum Explanatory of Agendum No. 11 (3) (part 2).

The following resolution will be moved by His Highness the Maharaja of Alwar:—

That this Narendra Mandal is of opinion that matters affecting the personal and dynastic status of Rulers should be the subject of decision by His Excellency the Viceroy, as representative of the Crown, in consultation with selected members of the Order of Princes.

Memorandum Explanatory of Agendum No. 11 (3) (part 3).

The following resolution will be moved by His Highness the Maharaja Jam Saheb of Nawanager:—

That this Chamber recommends that suitable machineries should be available as of right to adjudicate upon all matters of justiciable nature and to arbitrate finally upon those of non-justiciable nature in issue between the British Government or British India and the Indian States or between the Indian States *inter se*, provided that in the last named case both parties agree to the employment of these machineries. In case they do not, the present method of settlement would continue.

Memorandum Explanatory of Agendum No. 11 (4).

The following resolution will be moved by His Highness the Maharaja of Kashmir:—

That this Chamber requests His Excellency the Viceroy to appoint an independent expert body to explore the fiscal claims of the States after ensuring that the personnel and terms of reference are settled in agreement with the Standing Committee of this Chamber.

Memorandum Explanatory of Agendum No. 11 (5) (part 1).

The following resolution will be moved by His Highness the Maharaja of Bikaner:—

That this Chamber considers that the time is now opportune for defining by joint consultation between the nominees of His Excellency the Viceroy and those of this Chamber the bases of Intervention in the internal affairs of the States.

Memorandum Explanatory of Agendum No. 11 (5) (part 2).

The following resolution will be moved by His Highness the Maharaja of Bikaner:—

That this Chamber is of opinion that the doctrine of Usage and political practice as expounded by the Indian States' Committee is neither sound in its conception nor fair in its application to the relations subsisting between the Crown and the Indian States. That doctrine has in the past been the cause of serious and unjustifiable encroachments upon the internal sovereignty and autonomy of the Indian States which are recognised in Solemn Treaties, Engagements and Sanads.

A course of practice followed with respect to individual States by the Political Department of the Government of India in certain eventualities which has neither been consistent nor uniform, or to which from time to time exception has been taken by the States concerned or, which arose during minority, joint administration or any such interregnum when the Government of India held the position of trustee with respect to the State concerned cannot afford any basis for intervention by the Government of India to the prejudice of the acknowledged right of the States.

Memorandum Explanatory of Agendum No. 11 (6).

The following resolution will be moved by His Highness the Maharaja of Alwar:—

That this Narendra Mandal places on record its considered opinion that the true relationship of States with the Crown is founded upon:—

(a) treaties and engagements which bind parties, and

(b) Usage which is established by mutual consent.

This Narendra Mandal is therefore of the opinion that the obligations of the Crown and the States arising under the two aforesaid heads remain unaffected by the doctrine of Paramountcy referred to in the Indian States Committee's Report.

Memorandum Explanatory of Agendum No. 11 (7).

The following resolution will be moved by His Highness the Maharaja of Kashmir:—

That this Chamber recommends the creation of effective machinery for the settlement by mutual agreement of matters of common concern to British India and the States.

Memorandum Explanatory of Agendum No. 12.

The following resolution will be moved by His Highness the Maharaja of Patiala:—

That this Chamber cordially welcomes the announcement made on 31st October, 1929, by His Excellency the Viceroy and hopes that it may yet help to allay feelings of distrust and discontent throughout India.

That this Chamber notes with satisfaction the proposal to call a Round Table Conference in London of all the interests concerned and welcomes the opportunity afforded to the Indian States to participate in it.

That this Chamber desires that in view of the opinions expressed during the present session, His Excellency the Viceroy may be pleased to recommend that necessary opportunities be provided for consultation between His Majesty's Government in Great Britain and the representatives nominated by the Princes in regard to such practical proposals directly or indirectly affecting the Indian States as may emerge from the Round Table Conference or from the recommendations of the Indian States Committee's Report.

Memorandum Explanatory of Agendum No. 13.

The following resolution will be moved by His Highness the Maharaja of Kapurthala:—

That this Chamber recommends to His Excellency the Viceroy that he be pleased to take steps to secure that an Indian Ruling Prince should lead the Indian delegation to the Assembly of the League of Nations at least once in a cycle of three years.

PROCEEDINGS OF THE FIRST DAY.

February 25, 1930.

The Chamber assembled at the Princes' Chamber, Council House, at 11 A.M. on Tuesday, the 25th February, 1930. His Excellency the Viceroy presided.

The following Ruling Princes and Chiefs were present:—

Kashmir.

His Highness the Maharaja of Kashmir.

Central India.

The Rao of Alipura.

His Highness the Nawab of Bhopal.

His Highness the Maharaja of Charkhari.

His Highness the Maharaja of Datia.

His Highness the Maharaja of Dewas
(Senior Branch).

His Highness the Raja of Jhabua.

His Highness the Raja of Narsingarh.

His Highness the Maharaja of Panna.

His Highness the Raja of Rajgarh.

His Highness the Maharaja of Rewa.

His Highness the Raja of Sitamau.

Rajputana.

His Highness the Maharaja of Alwar.

His Highness the Maharaja of Bikaner.

His Highness the Maharaja of Bundi.

His Highness the Maharaj-Rana of
Dholpur.

His Highness the Maharawal of Dungar-
pur.

His Highness the Maharaja of Jodhpur.

His Highness the Maharaja of
Kishengarh.

His Highness the Maharaja of Kotah.

Punjab States.

His Highness the Nawab of Bahawalpur.

His Highness the Maharaja of
Kapurthala.

His Highness the Nawab of Malerkotla.

His Highness the Raja of Mandi.

His Highness the Maharaja of Patiala.

His Highness the Maharaja of Sirmur.

His Highness the Raja of Suket.

Western India States.

His Highness the Maharaja of
Porbandar.

His Highness the Raj Saheb of
Wankaner.

Bombay.

The Nawab of Balasinor.

The Raja of Bansda.

The Pant Sachiv of Bhore.

The Maharana of Danta.

The Raja of Lunawada.

His Highness the Maharaja of Rajpipla.

His Highness the Chief of Sangli.

Bihar and Orissa.

The Raja of Baudh.

The Raja of Talcher.

Punjab.

The Raja of Baghat.

The Raja of Kalsia.

United Provinces.

His Highness the Raja of Tehri (Garhwal).

On arrival, and after greeting the Ruling Princes and Chiefs present, His Excellency the Viceroy delivered the following speech:—

YOUR HIGHNESSES,

I welcome Your Highnesses with great pleasure to this the ninth Session of the Chamber of Princes. It is hardly necessary for me to refer to those preoccupations which have tended during the past months, and which will tend still more in the near future, to absorb our thoughts. They concern matters of great moment in the future of the States as part and partners of the Indian Empire. I have no doubt that Your Highnesses share with me the feeling that much of the work done during the past few years has been the prelude to even more important deliberations in which we must shortly engage. No one of us, I fancy, would be bold enough to claim that we could clearly foresee the future, but with prudence, courage, and joint consultation I see no cause to fear that we should fail to find a way through most of our present doubts and difficulties. It is in this spirit of reasoned optimism and hope that I am sure Your Highnesses will approach the business of this Session.

When I met Your Highnesses here last year we were all oppressed with anxiety at the illness of our beloved King-Emperor, and Your Highnesses will recollect that our first business on that occasion was to refer to a telegram of sympathy which on your behalf the Standing Committee had sent to His Majesty, and for which Her Gracious Majesty the Queen Empress had subsequently expressed her grateful thanks. On this occasion I have to make another and more happy reference to His Majesty's recovery, and to the telegram of congratulation sent to His Majesty by the unanimous wish of Their Highnesses of the Standing Committee at their meeting on October the 24th last. The telegram was in the following terms:—

"At the meeting of the Standing Committee of the Chamber of Princes held on 24th October 1929 His Highness the Maharaja of Patiala, Chancellor of the Chamber, announced that it was the unanimous wish of Their Highnesses of the Standing Committee, at their first meeting after His Majesty the King-Emperor's recovery from a serious and protracted illness, that the sincere gratification of the Members of the Committee should be recorded, and that His Excellency the Viceroy should be asked to convey to His Majesty and to the Royal Family an expression of their devoted and loyal greetings upon the occasion."

To that telegram a reply was received from His Majesty as follows:--

"I have received with much pleasure and appreciation the message which you have conveyed to me from the Standing Committee of the Chamber of Princes. Please assure the Chancellor and Their Highnesses of the Standing Committee of my heartfelt thanks for their kind greetings on my recovery from a long and serious illness."

Since our last session the Chamber has lost by death His Highness the Maharaja of Bharatpur, His Highness the Maharaj Rana of Jhalawar, His Highness the Raja of Lunawada and the Thakor Sahib of Rajkot. Succeeding to his inheritance in 1900 His late Highness of Bharatpur died before reaching the prime of manhood at the early age of 29. He had been in indifferent health for some time and his illness was a source of much anxiety to me. The attraction of His Highness' personality, as a Member of this Chamber and of Your Highnesses' Order, was well known to all of us, and his loss was felt acutely by his friends. His Highness the Maharaj

Rana of Jhalawar was one of the original Members who attended the inaugural session of the Chamber in February 1921. Born with a natural taste for literature and learning, His Highness was one of those who found particular pleasure in the simpler joys of life, and his death has deprived Your Highnesses' Order of one of its most cultivated members. His Highness the Raja of Lunawada was unknown to many of us. Having been created a Knight Commander of the Most Eminent Order of the Indian Empire so long ago as 1889, his death last year at the ripe age of 68 has left a great void in the State of which he had so long been Ruler. The Thakor Sahib of Rajkot whose sudden and untimely death at the age of 45 took place within the last month was a broad-minded and progressive Ruler, keenly interested in the social and economic advancement of all classes of his subjects, by whom he will be greatly missed. Your Highnesses will no doubt desire to associate yourselves in an expression of sympathy for the bereaved families of these four Members of your Order, and to extend wishes of happiness and prosperity to those succeeding them in the responsibilities connected with their respective States.

Shortly after I last met Your Highnesses in this house the Report of Sir Harcourt Butler's Committee was published and has been hitherto considered mainly in connection with the procedure to be followed for the most effective examination of its recommendations and proposals. It is too early yet to enlarge upon these, and indeed a minute and detailed consideration of them must await receipt of the Report of that other body, which has been concerned with the consideration of constitutional changes in British India. Meanwhile the views of Your Highnesses will be tentatively expressed during the present session in a series of Resolutions which are contained in a general item on the Agenda dealing specifically with the Report.

With respect to these Resolutions there is one in particular upon which I would like here to make certain general observations. There are few of Your Highnesses who would not agree with me in saying that the rare occasions upon which the British Government has been obliged to intervene in the affairs of individual States during the past decade create a record in which all of us must feel some degree of pride. One cracked bell in a peal of bells can prejudice and often destroy the harmony of the whole. In these days of publicity the shortcomings of one unit in the body-politic almost inevitably have the effect of prejudicing the reputation of all the other units composing that body. The good repute of Your Highnesses' Order is a matter which I, no less than all my predecessors, have regarded as a peculiar trust. It has been the consistent endeavour of us, who have enjoyed the privilege of friendship with many of Your Highnesses' Order, to enhance the reputation of those States who occupy a distinguished position within the fabric of the Empire, and it is in pursuance of these sentiments that intervention has been resorted to in recent years in the few cases to which I have referred. To define the degree of discretion vested in the Viceroy in such delicate matters would be a matter of extreme difficulty. Intervention consists normally in an expression of views tending to relieve the effect of abuse of power. These views are generally expressed at a personal interview between the Ruler and either the Viceroy or his local representative, which in my experience is always of most friendly character. Speaking for myself I have to acknowledge the invariably readiness with which Rulers have listened to any advice I have felt it my duty as a friend to offer, and the generous thanks with which it has frequently been

received. In its more important aspect intervention will be resorted to only in cases where, in the interests of Your Highnesses, of Your Highnesses' subjects, of India, and of the Empire as a whole, no other course seems possible. I feel confident that in the future the occasions upon which the Viceroy will be called upon to exercise his discretion with regard to intervention will gradually grow more rare. It is the co-operation of the Rulers of States in the interests of good government and of their common good repute which have conduced in the past, and will conduce still more in the future, to this result.

It gives me great satisfaction that Your Highnesses have viewed favourably the proposal for the Round Table Conference made by Sir John Simon to His Majesty's Government, and accepted by them, which was referred to in my announcement of October 31st, 1929, and which is to form the subject of a Resolution by His Highness the Chancellor. As Your Highnesses are aware, it will be the duty of the Conference to consider the views and opinions of all who take part in it upon the future constitution of India. Among other material that may be before them to assist their deliberations will be the Report of Sir John Simon's Commission, publication of which may shortly be expected, and also that of Sir Harcourt Butler's Committee. As I had occasion to say two or three weeks ago it is too early yet to predict with certainty when the Conference will meet or how it will be composed. I hope that all important interests will there be heard and that from its discussions and mutual interchange of views, the way will be paved for agreement between the States and British India in measures considered to be desirable for the further advance of India as a whole towards closer unity. I am assured, both from the conversations which I had with certain of Your Highnesses on the eve of my visit to England last summer and from the manner in which Your Highnesses received the statement that it was my duty to make on my return, that Your Highnesses share this hope. It is scarcely necessary to emphasise the fact that the importance of the Indian States in the body-politic of the country demands that any decision with which they might be concerned should receive from them a full measure of support.

Your Highnesses will recollect that at our Session of February 11th last year I referred to the Report of the Road Committee and to the possibilities which might emerge from it. I fear that anticipations which have been aroused in connection with this important subject have been in part disappointed by reason of the fact that it has not yet been found possible for my Government to adopt the Report and to proceed to carry out such proposals in it as may secure acceptance. In these circumstances there is little that I can add to my remarks of last year beyond assuring Your Highnesses that the subject is engaging the earnest attention of Government, and I trust that a settlement may be reached before long.

At the last Session of the Chamber I referred also to the question of the future of the Chiefs' Colleges, and informed Your Highnesses that my Government were expecting the views of the Governing Bodies of the Colleges and of the local authorities on the draft scheme prepared for their future governance. Those views have since been received, and I hope that before we next meet in this Chamber decisions will have been reached satisfactory to all concerned with this important subject. The good work resulting from the inauguration of the Chiefs' Colleges is a

lasting tribute to the foresight of their founders and can scarcely be over-estimated. The need for such Colleges in the middle and latter years of the past century was great and urgent and they have worthily fulfilled their purpose. Nor could such fortunate results have been possible without the active and sustained assistance of the Princes and Chiefs. The Colleges have exercised an important influence in moulding the minds and characters of young Princes, of whom many of Your Highnesses are notable examples, and from the time of their foundation the co-operation of a large number of Princely houses with the governing and teaching staffs has been one of the many happy aspects of the relationship existing between the Educational and Political Officers of Government and the great body of States with whom their activities have been so closely and happily allied. Thus I cannot help experiencing a certain feeling of regret—which I trust will soon be dispelled—that the Colleges appear to have suffered some decline in Your Highnesses' esteem, and it is my earnest hope that the phase is but a passing one and that your old regard for them will be revived in its former strength. It is platitude to say that no human undertaking can be beyond the sphere or need of criticism, and criticism of a constructive nature is always valuable for the working of any corporate institutions—educational or other. Changing times bring changing requirements and it is my earnest wish to do everything possible to ensure the continued existence of the Colleges as a medium for giving a sound and useful education to those whom they were built to serve. We all alike should be concerned in striving to consolidate, and when necessary to improve, where others before us have laboured with such devotion and success.

In his closing speech at our Session of February 1929 His Highness the Chancellor drew my attention to the question of bringing those States whose political relations are at present conducted by Provincial Governments into direct relations with my Government, and, in the case of other States, simplifying their relations through a single intermediary. I have made a careful examination of the position and have come to the conclusion that, while future constitutional developments in the Government of India and in the Provinces may lead to the necessity for a re-examination of the position of those larger States whose relations with the Government of India are still conducted through Provincial Governments, further changes are not practicable at the present moment.

The question of Your Highnesses' co-operation in measures of humanitarian endeavour, which the Government of India has by virtue of its Membership of the League of Nations pledged itself to pursue, has previously found expression in this House, notably during the meetings of November 1926 and February 1928. On both these occasions His Highness the Chancellor assured me of your effective assistance. It is therefore gratifying to me to observe that those assurances have during the past year been translated into practice, in connection with the obligations undertaken by the Government of India under the International Convention of 1921 for the suppression of the traffic in women and children. A large number of States have expressed readiness to co-operate and to undertake the necessary legislation to make co-operation effective. I congratulate Your Highnesses on this evidence of a desire to join with those who are working together throughout the world in the cause of social progress and eradication of vice.

There is a matter of some importance engaging the attention of the Government of India which I would like to mention briefly to Your Highnesses. The Imperial Council of Agricultural Research recently appointed a Committee for the purpose of formulating co-ordinated measures to deal with the problem of locusts which have been taking serious toll of crops in certain areas. The Committee has issued an interim report in which they have declared that locusts are now breeding in Northern India, and that unless adequate measures of control are taken within the next six weeks, there is grave danger of further damage especially in Western and Northern India. The Committee have suggested that the co-operation of the Indian States within their territories with regard to measures for dealing with this serious menace would be of great value, and Political Officers are being directed to ask those of Your Highnesses concerned to render such assistance as may be possible in fighting the plague. I am confident that the request will not be made in vain, and I need hardly say that your active co-operation in these important measures will be much appreciated by my Government.

Another matter that I would wish to mention relates to the assessment of compensation for land required in British India and in Indian States for irrigation, navigation, embankment and drainage works, and works connected with, or subsidiary to, them. The question has been under discussion since 1925, and a summary approved by the Standing Committee of the Chamber of Princes was accepted by Your Highnesses at your Session of February 1928. Since then it has been considered necessary, as a result of consultation with Local Governments, Political Officers and Durbars, to modify the summary in two respects. In the first place, clause IV of the summary provided for the appointment, in the first instance, of Political Officers as arbiters,—if both parties signified in writing their consent to such a course,—in cases in which there might be a difference of opinion between the State authorities and the Local Government concerned as to the compensation payable. It was thought, however, that this arrangement might put States in the invidious position of appearing to lack confidence in the arbiters, and it was accordingly proposed to amend clauses IV and V of the summary so as to provide for the appointment of a Board of Arbitration in all such cases. In the second place, it was proposed to include a provision in clause VI of the summary to the effect that, in cases where rates of royalty for quarrying stone or excavating material are levied in British India, arbitration will be resorted to in the manner provided in Clause IV, in the event of agreement as to the rates payable not being reached.

These modifications were recently discussed with the Standing Committee of the Chamber of Princes and have received their concurrence. It now only remains for the Government of India to issue a Resolution on the subject, and this will in due course be done.

In December last the Indian Historical Records Commission held a Session at Gwalior to which certain other States sent representatives as co-opted members. The interest thus evinced in India's history by the descendants of those who have in the past played an important part in its making is of the utmost value. There is still much room for historical research, and I believe I am right in saying that the Archives of many States contain a wealth of documents of historical interest which still remain to be explored. No nation can afford to ignore the story of its past, No people can properly develop without knowledge of the factors which

have gone to make them what they are. The great men of India have been primarily soldiers, law-givers, philosophers, and men whose saintly lives have won them a place of honour in the regard of their compatriots. Indigenous literature and the arts which have hitherto reached their highest levels under the stimulus of Kingly and Princely patronage have in more recent times received less attention than formerly under pressure of those influences which are continually operating in the progress of civilisation. This is now being recognised and patrons of the arts are more numerous than before. There can be few better ways in which Indian Princes and the leaders of Indian society and opinion can contribute to her future than by cultivating and assisting the arts of peace, which constitute so formative an influence upon national character.

Your Highnesses will recollect having moved a Resolution in the Chamber of Princes on the 24th February 1928, recommending that for the purposes of section 75 of the Indian Penal Code, previous convictions by Courts of Indian States should be recognised by the Government of India, and *vice versa*.

As the question involved matters of administrative importance, which concerned various Local Governments and Political Officers, I was unable at that stage to say more than that the matter would be considered with every desire to meet the wish expressed by Your Highnesses in the Resolution. I regret that the result of examination of the proposal is that the more important Governments are opposed to it, while others do not view it wholly with favour. The Courts have already a wide discretion in the infliction of sentences, and few practical inconveniences are apparent in the present condition of the law. It seems, therefore, that no useful purpose will be served by further pursuit of the question, and I accordingly anticipate that Your Highnesses may be willing to let the proposal stand in abeyance.

As is customary at our meetings, among the subjects to be considered by Your Highnesses is that dealing with the work of His Highness the Maharaja of Kapurthala as a Representative of India at the Meeting of the League of Nations last year at Geneva. The Report which His Highness will read to us will be no less interesting than have been those presented by His Highness himself on two previous occasions and by other members of your Order who have there represented India. We owe a debt of gratitude to His Highness for having undertaken for the third time this weighty task and I can assure him that we shall all follow with interest what he will have to tell us.

Two resolutions upon the Agenda, one by His Highness the Chancellor and one by His Highness the Nawab of Maler Kotla, are concerned with the election of the Chancellor and Pro-Chancellor and with the amendment of Rule 3 of the Rules of Business concerning the proposal of subjects for inclusion in the Agenda. As I have mentioned before in this House, I deprecate alterations in the constitution and Rules of Business except when necessity has been clearly shown, but I think both these proposals are deserving of Your Highnesses' careful consideration.

The Resolution regarding dealings between Indian States and Capitalists and Financial Agents has already been before this Chamber and received in a slightly different form Your Highnesses' approval. As a result of further consideration it is now formally to be placed before you, and I may have further remarks to make upon this subject when that stage is reached.

Before the Session ends Your Highnesses will proceed to elect the Chancellor and Pro-Chancellor and the Standing Committee for the ensuing year and I desire to acknowledge, as also, I am sure, will Your Highnesses the hard work performed by His Highness the Chancellor and by the Members of the present Standing Committee during the period of their activities. We have been occupied with many difficult and important questions, the counsel which I have received from those whom you have chosen to represent you has been of the greatest assistance to me, and I know that I have only to ask for the help of your chosen representatives in order to obtain it in full measure.

I must now bring my remarks introducing this Session to a close. I would do so by again giving expression to my continued sympathy and interest in Your Highnesses' deliberations and to my assured confidence that the result of them will be to forward the welfare of Your Highnesses' subjects, and those of that greater entity of India in which they occupy such an important place.

Agendum No. 1.

Resolution by His Highness the Maharaja of Patiala expressing gratification at the complete recovery of His Imperial Majesty the King-Emperor.

His Highness the Maharaja of Patiala: Your Excellency; Your Highnesses: Last year this Chamber unanimously adopted my resolution recording our happiness at His Majesty the King-Emperor's progress towards recovery. To-day we are happier, in so far as His Majesty has completely recovered. Your Excellency, it needs no formal expression that the attachment and devotion of the Indian Princes to the person of His Majesty the King-Emperor is not a matter of mere convention. It is a spontaneous and living faith with us, and as such, they were anxious moments for us all when His Majesty was passing through his serious and protracted illness last year. For some time the clouds hung very heavily indeed, and though about the time we held our last Chamber Session, they were beginning to clear, another anxious period intervened, when we of the Indian States with the rest of the British Empire, but more eagerly than all others, prayed for the health of one who commands our loyalty and devotion. Luckily the clouds have, through providential mercy, now completely disappeared, and we are happy that our beloved King-Emperor is once again functioning normally in the discharge of his responsible and onerous duties. It is, therefore, in the fitness of things that the first resolution of our Chamber should be to record our sentiments and gratification at His Majesty's complete recovery.

Your Excellency, we have always regarded, and will continue to regard the King Emperor as the custodian of our treaty obligations with Britain, and the pivot of our common Empire. Moreover, His Imperial Majesty the King Emperor, George V, has by his personal solicitude for us won our deep affection. And, if I may be permitted to add, as one who has enjoyed the privilege of His Majesty's personal friendship and of being on His Majesty's Staff, Indian States and British India have no better friend than His Majesty the King, on whose recovery we are to-day recording our genuine gratification. I trust I am voicing the opinion of our whole

Order and of the peoples of the Indian States, when I beg Your Excellency to convey to His Imperial Majesty, and his noble consort, to His Royal Highness our popular Prince of Wales and other members of the Royal family, our devoted greetings on His Majesty's complete recovery from serious illness, and our solemn determination to stand by our treaty obligations with the Crown and our devotion to His Majesty the King Emperor. With these words I beg to move the following resolution :

“That the Ruling Princes and Chiefs represented in this Chamber request His Excellency the President of the Chamber to be so kind as to convey to His Majesty the King-Emperor an expression of their deep and unfaltering devotion to the Throne, together with their profound happiness and relief at His Majesty's complete restoration to health.”

His Highness the Maharaja of Bikaner: Your Excellency; Your Highnesses: With a heart overflowing with devout gratitude and joy at our prayers having been answered by the complete recovery of His Imperial Majesty, I beg to second this loyal Resolution.

His Highness the Nawab of Bhopal: Your Excellency; Your Highnesses: It has been in the minds of all of us that our first act this session should be to give expression to our feelings of loyalty and devotion to His Majesty and our joy at his complete restoration to health and vigour.

Never has the illness of any monarch been followed by the world with such anxiety or with such fervent prayers for a safe recovery as was that of our beloved King-Emperor. From all parts of his far flung Empire, came the most wonderful demonstrations of love and loyalty, the tribute of his peoples to his lifelong work devoted to their service. I am sure that those tokens of love please His Majesty better than anything else could and were indeed a silver lining to that dark cloud.

Your Excellency, the Resolution comes from our hearts and gives expression to our true feelings and as such we would all wish it to be placed before His Imperial Majesty.

His Highness the Maharaja Jam Sahab of Nawanagar: Your Excellency: I have much pleasure in supporting on behalf of the Western India States the resolution, moved in much felicitous terms by His Highness the Chancellor. It is always a sad task to recall the memory—burdened with such acute anxiety and distress—of daily bulletins which kept the Empire oscillating between hope and despair for an inordinately long time over His Imperial Majesty's illness. But this cruel period of trial and tribulation supplied a test of outstanding merit: It demonstrated to the world unsurpassed popularity of His Majesty in all parts of the Empire: It was a world tribute of sympathy and good will paid to the beloved Sovereign whose heroic stand against the disease and whose sufferings were watched with deep concern everywhere. Prayers went up from a thousand churches belonging to a thousand creeds and the response of Almighty God, so signal and so merciful, was received with feelings overflowing with thankfulness throughout the Empire.

His Majesty is now restored to perfect health. All the Members of my Order had their full share of the prevailing anxiety, and our hearts went out to Her Majesty the Queen-Empress and the members of the Royal family in their sore trial during the heaviest period of His Majesty's illness.

By the grace of God, His Majesty is now restored to perfect health. We pray that long may His Majesty be spared to the Empire whose love he has won in such wonderful measure by his Kingly nobility and by his great solicitude for its welfare.

His Highness the Maharaja of Panna: Your Excellency; Your Highnesses: I deem it a high privilege to associate myself with this Resolution. I heartily endorse the sentiments which have been so ably expressed by my brother princes who have spoken before me. On this occasion our hearts are more expressive of the supreme happiness that we all feel than words can ever be. The loyalty and devotion of the Ruling Princes of India to His Majesty's throne, and person are now matters of history. The Indian States are connected with the British Crown by permanent and unbreakable ties, and there can therefore be no greater occasion to us for gratification and thanksgiving than the complete recovery of His Imperial Majesty from an illness which had caused the deepest anxiety throughout the British Empire.

His Highness the Maharaja of Dewas (Senior Branch): Your Excellency; Your Highnesses: If I rise to speak in support of the resolution which is being discussed, I do so neither from considerations of loyalty which we undoubtedly owe to His Imperial Majesty nor from any personal vanity which might conceivably impel me to be also one of the speakers. The few words I am going to say are words which are not words merely welling up from a grateful heart but words which descend from a head which presumes to judge what a beneficent Emperor of India His Majesty King George is. Your Excellency and Your Highnesses: we also being Rulers can appreciate how strong is the impulse to power which such a position engenders. Our Emperor is the King of Kings and yet look at his selflessness. He devotes himself night and day to the wellbeing of the Princes and peoples of India and his subjects throughout the rest of his far flung Empire. Not merely those of the Princes who have had the high honour of personal contact with His Majesty, but many more who had similar contact in 1912 when His Majesty came to this country to be crowned, must cherish the memory of his great personal charm and even more of his responsive heart. By that charm and responsiveness, may I presume to say that His Majesty has shown himself to be the worthy grandson of the great Queen Victoria the Good, apart from being an equally benevolent Sovereign. Your Excellency, we were all thrown into deep grief and trepidation during the days when news filtered through that His Majesty's life was seriously in danger. Imagine our relief and the profound gratefulness of our agitated hearts when the merciful Providence saved his life and restored him to perfect health which luckily he enjoys today. Our philosophers did not say idly when they said that God is great and good. In His Majesty's recovery there is reason for us to remind ourselves of the infinite Mercy of God and we should hail the incident of that recovery as a gift of God intended to keep us in the right faith.

Your Excellency and Your Highnesses, I join in the chorus of thankfulness with a feeling of profound reverence and due humility to the Lord Almighty.

His Highness the Nawab of Malerkotla: Your Excellency; Your Highnesses: His Highness the Chancellor has so ably moved the Resolution expressing gratification at the complete recovery of His Imperial Majesty the King-Emperor that there is hardly room for any thing to be added. His Majesty's illness had caused the greatest possible concern, not

only in the British Empire but throughout the world, and His Majesty's progress from day to day was watched with fervent prayers by the Princes and people of India, the British dominions, and a host of His Majesty's friends and well wishers in the world. The anxiety to the Ruling Princes of India, whose loyalty and devotion to the person and throne of His Imperial Majesty the King Emperor is well known, was great, but the relief was greater when the news of His Imperial Majesty's complete recovery was announced. I believe all well wishers must have prayed with real sincerity during His Majesty's illness that His Majesty's recovery was vouchsafed. I am unable to find words to give expression to the great gratification which we all felt on His Majesty's complete recovery. We all wish His Majesty long life and perfect health to rule over the greatest Empire the world has ever known. It is with very great pleasure that I support the resolution moved by His Highness the Chancellor.

His Highness the Chief of Sangli: Your Excellency; Your Highnesses: I esteem it a proud privilege to associate myself with the sentiments of loyalty, devotion and attachment to His Imperial Majesty the King-Emperor, to which Their Highnesses have given expression. It would be hard to find a parallel to the feelings of loyalty and affection, with which the gracious personality of His Majesty has inspired the Order of Princes. It is, therefore, natural that we should feel profound relief and happiness at His Majesty's recovery from his protracted illness. May the Almighty spare him long to rule over his mighty Empire.

With these words I support the resolution.

His Highness the Maharaja of Alwar: Your Excellency; Your Highnesses: Perhaps no one could have felt greater concern at the news that travelled across the wires in India saying that His Majesty had become indisposed than myself, for that occasion happened to be only a few weeks before one of the most important events in my life was going to be celebrated in my State. Many an anxious day and moment passed when news was received fluctuating in different directions, and, although I personally all the time felt positive that Providence would enable His Majesty to pull through an illness which had in time become very serious nevertheless it was scarcely feasible to partake of any rejoicings at a time when the Emperor was ailing, and all minds were turned towards prayers for his recovery. Accordingly, and very naturally, my Silver Jubilee Celebrations were postponed, and we were in a happier position, my subjects and my officials, when the occasion came at last for not only celebrating in my State a very important event in my life, but also for celebrating, with even greater vigour and joy an all-India event, an all-Empire event the recovery of His Majesty's health. It was a joyful task to me when I went to England to find the first opportunity of paying my loyal sentiments, and faithful expressions before His Majesty personally. And I shall never forget the graciousness with which His Majesty, despite the advice of Doctors, was pleased to give me audience at which he frequently referred to the messages that I had sent during his illness. Why is it, I ask myself, that we have been so anxious and are so gladly united in connection with one personality. The answer is simple. To many the King is the sovereign of a Kingdom or of the Dominions, but to the Indian Princes the Emperor is the main link through which their treaties, and so their future, is connected. Thus it is in no words of platitude or of mere complimentary convention that this Resolution has been moved and has been so ably seconded and supported. The feelings, I hope it will be easy

to conceive, flow naturally from within as all thoughts are concentrated towards this centre that links the whole Empire together in which the Indian States are proud to play their part. With these feelings and expressions I cordially support His Highness the Chancellor's resolution.

His Highness the Raja of Mandi: Your Excellency; Your Highnesses: I consider it a great pleasure to associate myself with the resolution moved by His Highness the Chancellor expressing our deep gratification on the complete recovery of His Imperial Majesty the King-Emperor. Times change and men's ideas change with them and few in these modern times could have estimated before His Imperial Majesty's sudden and serious illness what universal love and affection the wearer of the Crown commanded even to-day. It is no exaggeration to say that throughout this far-flung Empire and in even many lands beyond it a thrill went through hundreds of millions of hearts when it came to be realized that it was a question of life and death with His Imperial Majesty and hardly a home was there from which prayers did not rise morning and evening for the complete early recovery of His Majesty. I can speak with personal knowledge of my own State that such prayers continued throughout the entire period—prolonged and painful as it was—during which His Majesty lay ill, and my people's one interest in the day's news used to be the item that told us how His Majesty passed a night and what improvement had taken place in his condition. Universal as the concern was throughout the world with regard to His Majesty's recovery few outside India could realise how deep and intense it was in our own country and particularly in the Indian States. Apart from the well known qualities of head and heart which His Majesty is generally known to possess, the people in India have been touched to the heart more than once by all that His Majesty had done and said in his Royal itineraries throughout our Motherland. Who could forget His Majesty's appeal for sympathy as he was once leaving the shores of India which rings to this day in our ears. Who that aspires to the attainment of Swaraj can fail to recollect the clear encouragement given by His Majesty himself to such patriotic aspirations. We in the Indian States are no less grateful because His Majesty has always championed the cause of our Order and united Empire. And now that one more link is to be forged in the chain of Imperial relationship we thank God that His Majesty is there himself to help in forging it. But Imperialism has not been His Majesty's only concern. World peace has always been dear to his heart and it was in the fitness of things that the very first important function in which His Majesty took part after his recovery was in welcoming the delegates to the Naval Conference, the first step that is being taken after the Kellogg Pact to lighten the world's burden of armaments and to forge more and more weapons of world peace. Finally I pray that His Majesty may continue to progress in strength and continue to live long and watch over the ordered progress of this vast Empire.

The Pant Sachiv of Bhor: Your Excellency; Your Highnesses: It is with extreme pleasure that I rise to support the important resolution that has been moved by the worthy Chancellor of this Chamber.

The dangerous and protracted illness of our beloved King had given us cause for the keenest and gravest anxiety for many days last year, and the thoughts and sympathies of us all had turned at that time to the members of the Royal family, and most fervent prayers from all the quarters of British India and Indian States were offered for the speedy

and complete recovery of His Majesty the King Emperor. Now by the grace of God we are fortunate enough to get the opportunity of expressing our gratification at the complete recovery of His Most Gracious Majesty, and we are extremely glad to see that His Majesty has now resumed his regal duties, which he was obliged to put aside during the illness.

We all know how His Majesty the King-Emperor caught cold while attending the service held on the Armistice Day, and this very simple fact gives ample proof of His Majesty's high sense of duty as well as profound love for his subjects. We Indians by our very nature are sentimental and have great attachment and reverential feelings for Kingship. So naturally we must be very grateful to the Almighty for sparing the person whom we love above all things in this world. His Imperial Majesty is the binding force, which keeps together different creeds and religions and nationalities of the British Empire. Moreover His Majesty the King-Emperor has won great affection and high esteem by his amiable qualities and genuine interest in our Princely Order by assuring us on several occasions of maintaining our dignity and prestige. The King-Emperor is always regarded as the custodian of our treaty-obligations, and it will be ingratitude on our part if we fail to move the resolution in this Chamber, which contains a genuine expression of our heart-felt gratification at the complete recovery of His Imperial Majesty the King-Emperor.

His Excellency the Viceroy: If, no others wish to associate themselves verbally with the motion, I will read it again to the House before putting it—

That the Ruling Princes and Chiefs represented in this Chamber request His Excellency the President of the Chamber to be so kind as to convey to His Majesty the King-Emperor an expression of their deep and unfaltering devotion to the Throne, together with their profound happiness and relief at His Majesty's complete restoration to health.

I would only add, before formally putting the resolution to the Chamber, that it will be a high honour to me to transmit to the King-Emperor a message in which the historic loyalty of Your Highness' Order has found expression, and Your Highnesses, I am sure, will be under no doubt as to the grateful sentiments with which His Majesty will receive the message, as he will read the terms in which it has been so generously proposed, seconded and supported. It is my duty formally now to put the motion to the Chamber and ask those who support it to signify in the usual way.

(The Resolution was carried unanimously.)

Agendum No. 1-A.

Resolution by His Highness the Maharaja of Patiala regarding the recent dastardly attempt on the life of Their Excellencies.

His Highness the Maharaja of Patiala: Your Excellency; Your Highnesses: It needs no long speech of mine to commend this resolution to the unanimous approval of Your Highnesses. Most of us here, I think, have already, in our individual capacities, signified to Your Excellency our abhorrence and detestation of the anarchical attempt upon the Viceregal

train, and our profound relief at the escape which Providence vouchsafed to Your Excellency, Her Excellency Lady Irwin, and your whole party.

Your Highnesses, I am sure I speak for you all as well as for myself when I say that we, the Princes of India, resent as a personal affront the attempted perpetration of a dastardly outrage of this kind. Quite apart from the esteem and affection in which we hold Your Excellency's person, you are to us the representative of our beloved King-Emperor, for whose throne we are at all times prepared to lay down our lives and all that makes these lives worth living. To us, an attempt at Your Excellency's life is an outrage against that august personage whom Your Excellency represents, and we cannot find words strong enough to convey to you our deep feelings upon this matter. Now, as in the past, our swords and our lives are at the service of the King-Emperor, and the King Emperor's personal representative.

If anything could increase our sentiments of horror and detestation, or could add to our sense of profound relief at Your Excellency's escape, it would be the reflection that in you, Sir, India has found a most true and loyal friend. From the time when you entered upon the duties of your exalted office, you have thought, planned, and worked ceaselessly for the good of our country. We the Indian Princes, perhaps because we have been privileged to come into intimate contact with you, realise to the full the generous and sympathetic policy which you have ever followed, both towards Indian India and British India. We, therefore, rejoice in a very special way to think that providence has spared you to continue the great work that you have so well begun: and we desire to convey to you, in the name of us all, the sentiments to which this Resolution gives expression. I have the honour to move it formally as follows:—

“ This Chamber places on record its emphatic condemnation of the recent insensate and dastardly attempt on the life of Their Excellencies, and tenders its heartiest congratulations on their most providential escape.”

His Highness the Maharaja Jam Saheb of Nawanagar: Your Excellency; I associate myself wholeheartedly with His Highness the Chancellor in the sentiments to which he has given expression while moving the resolution now before the Chamber. It is a sad irony that only the noblest and the best are singled out for dastardly attack, so history tells us.

It was Lord Hardinge, one of the noblest of the Viceroy, who was made the object of a murderous attempt that failed by the mercy of Providence. Your Excellency, comparisons are always an unpleasant pastime to indulge in, but Your Excellency's achievements are already such as to ensure a perfectly safe assertion that Your Excellency's place among the Viceroy of India is very high: that Your Excellency occupies a place in the hearts of the Princes and people of India, seldom approached by any of your distinguished predecessors is undoubted. This is not the place to recount the various acts which already invest Your Excellency's tenure of office with a distinction all its own; this is not the occasion to assert that in the present critical period in India's history her destinies are in the keeping of the noblest and most sympathetic of her Viceroy. We thank Providence from the bottom of our hearts for saving Your Excellency and Lady Irwin and foiling the dastardly attempt for which we take this public opportunity of expressing our deep horror and abhorrence. I heartily second the Resolution.

His Highness the Maharaja of Bikaner: Your Excellency; Your Highnesses: I deem it a duty, in associating myself with this Resolution, to join most sincerely in offering our devout thanks to the Almighty and in tendering our congratulations to Your Excellencies on your providential escape, and in unqualifiedly condemning the abominable and despicable outrage attempted by an insensate person or persons under misguided notions of patriotism for their Motherland and in their frantic lust for the martyr's crown, who cannot appreciate the ingratitude involved and the calamity entailed on their country by such anarchical acts.

It is as His Highness Maharaja Jam Sahib of Nawanagar has said the irony of fate that such dastardly outrages should have been attempted to be perpetrated or perpetrated, during the last two decades on, of all people, two of the most popular Viceroy of modern times, Lord Hardinge and Your Excellency, who have shown such exceptional sympathy for, and befriended, India.

I venture to say that not only amongst the Viceroy of the last quarter of a century but of the long list of Your Excellency's distinguished predecessors, there will be found none more beloved, more respected, or more popular than Your Excellency, or one who has striven more earnestly, more sincerely and more nobly in furthering the cause of India and earnestly helping her in her efforts to gain the equal and honourable position due to her amongst the countries comprising the great British Commonwealth of Nations.

The thought that there should be anyone in India capable of such an attempt on one so especially entitled to the gratitude and affection of the Princes and people of India makes me, in common with the overwhelming majority of my countrymen, hang down my head in shame.

His Highness the Nawab of Bhopal: Your Excellency, this Resolution voices the united feelings of the Princes of India and their subjects, which each of us in our own way have expressed to you with such emphasis as we could command, of horror at the attempt made upon Your Excellencies' lives and of thankfulness to the Almighty who saved you.

Your Excellency, no words can express how intensely the Princes of India condemn and deplore that outrage. That it should have been perpetrated against the personal representative of our beloved King-Emperor violates our profound feelings of devotion to His Majesty's throne and person. We resent, far more deeply than if it had happened to ourselves, that such an attack could have been committed upon you, Sir, who, apart from your high office, we hold in such high regard and if I may say so affection. And we deplore that, alas! any son of India should have attempted such an act against one who has always been India's most true friend and champion.

I associate myself wholeheartedly with His Highness the Chancellor's Resolution.

His Highness the Maharaja of Dewas (Senior Branch): Your Excellency; Your Highnesses: India has expressed its horror at the dastardly crime involved in an attempt on His Excellency the Viceroy's life. If, as we still fondly hope, the Princes of India, are the traditional leaders of those people with whom loyalty has always been regarded as a virtue, it goes without saying that the feeling of anguish engendered by the attempt must have been intensified in the hearts of the Princes. Your Highnesses, my position is not that we were horrified merely because such an inhuman attempt was

made on the life of the Viceroy—the representative of our beloved King-Emperor. My position is that we should view with extreme horror any attempt on the life of a human being, and when this human being happens to be firstly a great friend of ours and our country, secondly a godly man, and thirdly also one who as we all know is working towards the removal of our difficulties, what is more natural than that we should feel that the blow aimed at His Excellency the Viceroy was really a blow aimed at all our hopes and aspirations. Therefore whoever the coward was or the cowards were who conceived such a sinister design which luckily for us all failed, they were, I say without hesitation, enemies of the country, and therefore the country should unite in the strongest possible condemnation not merely of these inhuman persons but also of the creed which tolerates such ideas. With these words I beg to join my feeble voice with that of His Highness the mover in support of the resolution for the acceptance of this Chamber.

His Highness the Raja of Mandi: Your Excellency; Your Highnesses: It is with a mixed feeling of pain and pleasure that I rise to support this resolution,—I say pain because we must all feel pain at the insensate folly of some of our countrymen who could aim such a dastardly blow, of all persons, against such a true friend of India as His Excellency the Viceroy,—who ever since he came to this country, with the development of which his distinguished grandfather was so intimately associated, has aimed at nothing so much as the inauguration of an era of peace and concord in this ancient land. But much of our pain at such inexcusable and unimaginable folly disappeared in the thrill of pleasure that we felt on hearing that Almighty and All-Merciful God had spared His Excellency to continue to guide the destinies of India at this critical period and Her Excellency and the entire party escaped unhurt. Every one knows how the whole country was struck with horror on hearing the news of this attempted outrage which was wholly unexpected knowing as we did what noble work His Excellency had done for us during his short visit to England undertaken solely on our behalf. They say it is the unexpected that happens, and this was certainly true in this instance also. But our horror would have been all the more intense if Their Excellencies and their party had received even the slightest injury out of this wholly unexpected outrage. It is here that the destiny that shapes our ends rough-hew them as we will that came to our assistance and only that which was expected happened and we see Your Excellency to-day once more in our midst assisting us in adjusting the affairs and relations of Indian India and British India, and helping this ancient land to moult its skin and rejuvenate itself as a progressive, orderly and modern Nation.

The Pant Sachiv of Bhor: Your Excellency; Your Highnesses: The sudden and unexpected news of the violent bomb-outrage upon the carriage of Their Excellencies had created great consternation in the minds of all sane people in India and outside, and this dastardly attempt calls for vehement condemnation from us all.

It is always a heinous crime and cowardly action to try against the life of a human being who is perfectly innocent. It is also against the rules and regulations of war prescribed by our Shastras which clearly lay down that he is not a bold man who attempts against the life of one who is unarmed and unprepared. It is still more heinous to make such an attempt against one who has laboured so much for the cause of India, and has

suffered much in making efforts for the political uplift and general amelioration of this country. The attempt was made at such a time when His Excellency was returning to Delhi to keep his engagement with the prominent leaders of the country to discuss on matters of highest importance. Besides, His Excellency, being the highest representative of the King-Emperor to attempt against his life is the most heinous crime. Considering all these facts together, the unfortunate incident naturally calls forth genuine sympathy for the person against whom the attack was directed, and also profound condemnation of our Princely order for the vile act that has been perpetrated by the most unscrupulous villain.

It was indeed admirable that His Excellency the Viceroy did not allow his equanimity to be disturbed, even when his very life was aimed at like his worthy predecessor Lord Hardinge, one of the most popular Viceroys of India. Not only did he himself preserve perfect calmness, but also requested by cable His Most Gracious Majesty not to be anxious and perturbed in any way by the exaggerated account about the outrage. Had there been any other man of ordinary calibre, he would have started a campaign of revenge which was so loudly called for by all who are unfriendly towards India.

We all know that mischievous actions like this instead of advancing the progress of India are sure to retard it for which all the well-wishers of India have been sincerely and enthusiastically trying for years together. Such heinous actions are calculated simply to strengthen the hands of the worst enemies of India, and forfeit real sympathy of the best friends of India in England and abroad. His Excellency since his arrival in India has given ample proof of his sincere desire to do good to India, and his recent embassy in England which resulted in the recent announcement is sufficient proof of what I have said above. In spite of all his admirable work it is rather curious that he should be the target of the most ruthless villain. It is he who at the instance of the Standing Committee of this Chamber has arranged to give us a Committee, presided over by Sir Harcourt Butler, to examine and if possible to rectify the wrong and injustice done to our Order during the past years; again it is he who has arranged to admit the representatives of the Princes to the Round Table Conference, in order to safeguard the interests of our Order. In short, His Excellency is ever willing and ready to extend his generous support whenever it is solicited, either to rectify the wrongs or protect the rights of the Princes. Hence he has greater claims upon our profound gratitude, which we are in duty bound to express in befitting terms and manner at the right occasion.

Indeed through the grace of God His Excellency's escape was miraculous, and it may be inferred from this very fact that he is spared by the Great Almighty in order to enable him to do still more important service to the country, which is committed to his charge. So I feel great pleasure in supporting the resolution moved by the worthy Chancellor.

His Highness the Nawab of Malerkotla: Your Excellency; Your Highnesses: Although I have already given expression on another occasion to my feelings regarding the recent diabolical attempt on Their Excellencies' lives, I cannot refrain from associating myself with this Chamber in the condemnation of that most dastardly attempt. In view of all that His Excellency has done for India during his term of office one feels that it is very difficult to find a truer friend of this country. It was most disgraceful and mean that any Indian should attempt to take the life of a

benefactor of his country and I cannot find words to give expression to the horror with which we all received the news. It has been said more than once that the heart of India is sound. If that is true as I believe it to be, I am sure no well wisher of the country would have any thing to do with those who resort to such disgraceful attempts on the lives of their benefactors. With these words I wish to support the resolution moved in eloquent terms by His Highness the Chancellor.

The Chief of Jamkhadi: Your Excellency; Your Highnesses: I rise to associate myself with the remarks of the distinguished mover and seconder of this resolution. As representative of the Crown whom we regard the pivot of our treaty relations, and also by his personal kindness and friendship for the Indian Rulers, Lord Irwin, with his noble consort, has endeared himself to us all, and it was, therefore, a personal shock when we heard of the dastardly and insensate attack on the lives of Their Excellencies. None but an enemy of India could have conceived the mischievous plan of concentrating the attack on a sympathetic Viceroy like Your Excellency at a time when you had been pleased to stake almost your career in the service of India and the Empire. The whole of the responsible India has felt terribly hurt at it and this resolution is merely a formal registering of the spontaneous feelings of the Princes and the people of the Indian States towards Your Excellency and our sense of abhorrence at the outrage referred to in the resolution. I have therefore great pleasure in supporting this resolution.

His Highness the Maharaj Rana of Dholpur: Your Excellency; Your Highnesses: In rising to support the resolution, which has been moved by His Highness the Chancellor, I feel that I am voicing sentiments held not only within the Chamber, but also far beyond its walls.

Both the Princes and people of this land, Your Excellency, have come to look upon you as their true friend, and we, who have been privileged to come in personal touch with you, and with Her Excellency Lady Irwin, possess this feeling in particular

From times immemorial, the highest place has always been accorded to warm and feeling hearts in almost all our cultures and religions. Consequently when we hear of even the possible suffering of our friends we quite involuntarily suffer ourselves. In this case, we are thankful to know Your Excellencies and party were providentially preserved from serious injuries. Indeed, the outrage left you, by the testimony of all observers, entirely unperturbed. The perturbation, Your Excellency, was ours, and I feel sure that the only result of this shameful and ghastly attempt was further to convince you, if indeed you needed convincing, of the warm place that you hold in our esteem, and may I add affection.

His Highness the Chief of Sangli: Your Excellency; Your Highnesses: I join in the detestation and indignation which have been expressed at the dastardly outrage recently perpetrated on Their Excellencies the Viceroy and Lady Irwin. It is no exaggeration to say that no Viceroy in modern times has succeeded, as His Excellency has done, in winning the love, admiration and gratitude of the people and Princes of India by his great endeavours for their welfare. Her Excellency, too, has won our hearts by the distinguished manner in which she has been seconding the noble efforts of His Excellency. It passes our conception how any human being could descend to such depths of depravity as to think of committing an attempt.

on the life of Their Excellencies. Such crimes are alien to our tradition and culture. The hand of Providence has unmistakably manifested itself in their miraculous escape, and it would be impossible to overrate the relief and joy which the people as well as princes of India feel at it. With these words I support the resolution.

His Excellency the Viceroy: My duty is to read the Resolution that has been formally moved:

That the Chamber places on record its emphatic condemnation of the recent insensate and dastardly attempt on the life of Their Excellencies and tenders its heartiest congratulations on their most providential escape.

Your Highnesses will perhaps allow me to strain the rules of order from the Chair so far as, on behalf of Lady Irwin and on behalf of those travelling with me and on my own behalf, to thank you for the Resolution that you have moved and unanimously carried. During the four years that I have been in India Your Highnesses, both individually and corporately, have given me a greater cause for gratitude than I could easily recount. And not the least item in that gratitude demanding acknowledgment will be your motion this morning and the terms kindly used, and the generous way in which it has been commented on by this House. I thank you.

(The Resolution was carried unanimously.)

Agendum No. 2.

Resolution of condolence by His Highness the Maharaja of Patiala in connection with the death of Their Highnesses the Maharaja of Bharatpur, the Maharaj Rana of Jhalawar and the Raja of Lunawada, and the Thakore Saheb of Rajkot.

His Highness the Maharaja of Patiala: Your Excellency; Your Highnesses: It is with heartfelt grief that I rise to move the following resolution standing in my name:—

“ That the Chamber of Princes records its heartfelt sorrow at the lamentable demise of Their Highnesses the Maharaja Sahib of Bharatpur, the Maharaj-Rana of Jhalawar, the Raja Sahib of Lunawada and the Thakore Saheb of Rajkot together with the sense of the loss thereby sustained by the entire Order of Princes; and offers its sincerest sympathies and condolence to the bereaved families.”

The Angel of Death exacts a heavy toll every year from our Order, creating gaps which are difficult to fill. This year, too, has deprived us of the association of four of our Brothers—Their Highnesses the Maharaja Sahib of Bharatpur, the Maharaj-Rana of Jhalawar, the Raja Sahib of Lunawada and the Thakore Saheb of Rajkot. His Highness of Bharatpur, who has been lost to us at the prime of his youth, regularly attended our Chamber meetings. His untimely demise followed by that of his devoted consort, was most tragic indeed and robbed us of a friend and a brother whose amiable disposition had endeared him to his friends.

His Highness of Jhalawar was a keen sportsman and administrator, and took a prominent part in the Princes meetings which led to the

formation of this Chamber. His Highness was a worthy specimen of the famous Jhala clan of Rajputs and we are poorer without him.

His Highness the Raja Sahib of Lunawada was an experienced and much respected Ruler and belonged to a very distinguished House, and his demise deprives us of a progressive Prince of the older generation.

His Highness the Thakore Saheb of Rajkot was young but he had already earned for himself a well-deserved reputation for his progressive and constructive administrative qualities. He served his people well and he served his Order too, and assisted us by his valuable advice even at the Bombay Conference last June.

I am sure I voice the sentiments of the Chamber and the whole Order of the Ruling Princes, whom it represents, when I express our heart-felt grief at these sad demises and offer our sincere sympathies and condolences to the bereaved families.

His Highness the Maharaja Jam Saheb of Nawanagar: Your Excellency; Your Highnesses: Hardly any words are needed in support of the Resolution. In the case of His Highness of Bharatpur, it was a tragic end of a young career, fated almost in its beginning. His late Highness of Jhalawar was gifted with remarkable wisdom and sagacity, which would have been of great value to us at the present moment. It is sad to feel that his kindly presence will no longer be among us in this Chamber.

Nearer home, I will allude to the Raja Saheb of Lunawada and the Thakore Saheb of Rajkot. Both were Rulers of exceptional popularity among their subjects and their friends. The Thakore Saheb of Rajkot who was a dear personal friend, kinsman and clansman, was labouring amongst his subjects when death overtook him suddenly and deprived us of a Ruler of great capacity passionately devoted to the interests of his people and his Order.

With these few words, I beg to second the Resolution.

His Excellency the Viceroy: The proposal has been moved and seconded that the Chamber of Princes records its heartfelt sorrow at the lamentable demise of Their Highnesses the Maharaja Sahib of Bharatpur, the Maharaj-Rana of Jhalawar, and the Raja Sahib of Lunawada, and the Thakore Saheb of Rajkot, together with its sense of the loss thereby sustained by the entire Order of Princes, and it offers its sincerest sympathies and condolences to the bereaved families. I would suggest that Your Highnesses might perhaps in accordance with your general custom desire to pass the Resolution by rising from your seats.

(The Resolution was carried unanimously.)

Agendum No. 3.

Resolution of welcome by His Highness the Maharaja of Patiala to Their Highnesses the Maharaj-Rana of Jhalawar and the Raja of Narsingarh.

His Highness the Maharaja of Patiala: Your Excellency; Your Highnesses: It gives me genuine pleasure to propose the resolution of welcome to Their Highnesses the Maharaj-Rana of Jhalawar and the Raja Sahib of

Narsingarh, who have become members of this Chamber this year. Both of Their Highnesses are descendants of illustrious Houses which can rightly boast of great traditions, chivalry, and civilization and have had the privilege of that broad outlook and training which is so essential to equip the present and future generations of Indian Rulers for the delicate task awaiting them. I have no doubt that both His Highness the Maharaj-Rana of Jhalawar and His Highness the Raja Sahib of Narsingarh, who are promising members of the Princely Order, will distinguish themselves by constructive administration of their States and by active interest in the Chamber and all that pertains to the well being of our Order.

It is also my pleasant task to-day to welcome in our midst for the first time our esteemed Brothers Their Highnesses of Bundi and Dungarpur. Their Highnesses have attended the Chamber for the first time to-day; but they are not strangers. This Chamber, as we know, belongs to all Princes; and the acute transitional stage through which India is passing to-day demands active association of all farsighted Rulers in the common problems pertaining to the Chamber and to the interests of our Order and our subjects. As such, I trust that we can confidently expect active participation in, and association with, our deliberations from our younger brother Princes.

I feel I would be failing in my duty if I were not to add an informal word of welcome for the young Prince of Lunawada, who though a minor, has specially arranged to be here to watch our proceedings to-day. I take it as an encouraging index of the growing interest of the younger Princes in our deliberations. I now beg to move—

“ That the Chamber of Princes offers its heartiest congratulations to Their Highnesses the Maharaj-Rana of Jhalawar and the Raja Sahib of Narsingarh on their assumption of powers, and welcomes them in its midst wishing them a long and prosperous rule.”

His Highness the Maharaja-Rana Sahib of Porbandar: Your Excellency; Your Highnesses: I have great pleasure in seconding the resolution just moved by His Highness the Chancellor.

I readily join His Highness in congratulating His Highness The Maharaj-Rana of Jhalawar, as I have the happiness of knowing His Highness intimately since the time he was at Oxford. When I visited England in 1921, I remember spending many pleasant hours in his house at Oxford, and it delights me to welcome him to our Chamber as a brother Prince and a personal friend. I am equally delighted to associate myself in congratulating and welcoming His Highness the Raja Sahib of Narsingarh whom we are glad to see here to-day taking a diligent interest in the deliberations of this House.

His Highness of Jhalawar will, I am sure, like his learned father, be an esteemed member of our Chamber and make valuable contribution to its work.

I cordially wish all success to both Their Highnesses and commend this resolution for Your Highnesses' acceptance.

His Highness the Maharawal of Dungarpur: Your Excellency; Your Highnesses: On behalf of the Princes, whom His Highness the Chancellor has been kind enough to refer in his speech, I am authorised to rise and express our sincere thanks. I do so in no mere conventional form.

We all appreciate and value this cordial welcome and beg to assure Your Excellency and Your Highnesses of our desire to offer our best in the service of our respective States and of our Order.

His Excellency the Viceroy: It has been proposed and seconded that the Chamber of Princes offers its heartiest congratulations to Their Highnesses the Maharaj Rana of Jhalawar and the Raja Sahib of Narsingarh on their accession to their *Gadis*, and welcomes them in its midst wishing them a long and prosperous rule. Will your Highnesses signify your pleasure in regard to them by raising your hands?

(The Resolution was carried unanimously.)

Agendum No. 4.

To receive a statement from His Highness the Maharaja of Patiala reviewing the work performed by the Chamber of Princes during the past year.

His Highness the Maharaja of Patiala: Your Excellency; Your Highnesses: The Chancellor's responsibility of presenting to the Chamber the annual review of the work accomplished is never a light one; but on this occasion I approach it with more than ordinary diffidence. Since the last meeting of the Chamber, there have been so many developments in the political situation both in this country and in England, of a kind calculated vitally to affect the interests of Your Highnesses, that were I to deal at any length with these events, I should occupy a much longer portion of the time of the Chamber than I feel justified in doing.

The first of these events of which I would take the opportunity of reminding you is, of course, the publication of the Report of the Indian States Committee. In view of the space which is being allotted in our agenda to a discussion of the Report, I will not attempt to anticipate that debate, but I feel I must voice even at this stage the general opinion of my Brother Princes that we regard that document, as being from the standpoint of the Indian States, a mixture of good and bad. Grateful as we are to Your Excellency for the sympathetic statesmanship which granted our request, for an enquiry into the relations existing between ourselves and the Paramount Power and between ourselves and British India, I cannot refrain from remarking that the work of the Indian States Committee was neither as comprehensive nor as clear cut as, in our view, the importance of its task required. As Your Excellency is aware, an early opportunity was taken soon after the publication of the report, to elicit the views of a large number of the States represented in this Chamber in regard to the Report. A large and representative meeting was held at Bombay last June; and I should like to take this opportunity of expressing my deep obligation to my dear elder Brother, His Highness the Maharaja of Bikaner, for the wise and statesman-like manner in which he guided the deliberations, and shouldered the heavy responsibilities, which fell upon him in the unavoidable absence, due to ill-health, both of myself and of His Highness the Maharaja of Kashmir the Pro-Chancellor. His Highness the Maharaja of Bikaner's services to the entire Order of Princes are so well known and so deeply appreciated by all of us, that I need do no more than say that his leadership on this occasion was part and parcel of that same great work in which he has always borne so

prominent part. Your Excellency was kind enough to grant an interview to the deputation of Princes and Ministers headed by His Highness the Maharaja of Bikaner at Poona; and the tentative opinions reached in the Bombay meeting were informally communicated to you. I take this opportunity of laying on the table, for record, a copy of the resolutions unanimously adopted at our Bombay Conference. These conclusions have now, as a result of the labours of the last few weeks, been reduced to precise and formal shape, and will, I hope, be regarded by Your Excellency as constituting the considered opinion of the States represented in this Chamber.

As Your Highnesses are well aware, the circumstances connected with the appointment of the Indian States Committee led us, last year, to set up a Special Organization in order to cope with the work entailed. I should like, as Chancellor, once more to express my gratitude to those Princes and Ministers who laboured so devotedly in this connection. We quickly found that the publication of the Report of the Indian States Committee did not place a term to the work which had to be done. Accordingly, it was resolved to continue the Special Organization for the present; and my Foreign Minister—Professor Rushbrook Williams—was again sent to England at the request of Your Highnesses in order to ensure that in the discussion of Indian affairs in that country, the existence and the interests of the Indian States were not overlooked. We are glad to learn from the testimony of the highest quarters that the reputation of the Indian States stands firm in England; and I should like to take this opportunity of expressing our gratitude to my dear uncle His Highness the Maharaja Jam Sahib and my dear brother His Highness the Maharaja of Alwar for their efforts on our behalf in that country. After the lapse of a certain length of time, due to circumstances which I need not enumerate, we were so fortunate as to secure, through the liberality of the Gwalior Government, the services of our tried and valued friend Colonel Haksar as Director, Special Organization for a period of two years. Moreover, I and my colleagues of the Standing Committee have found ourselves at last enabled to take a step which we have long recognised as a desideratum, which is the establishment of a permanent Chancellor's Secretariat, with a separate staff and a separate Organization for the control of which we have been fortunate in securing the services of Sardar Mir Maqbool Mahmood. Finally, we have established a Standing Committee of Ministers—an innovation, which I am sure Your Highnesses will all agree, is likely to add much to the efficient and expeditious disposal of important business.

It is in these ways that we have tried to equip ourselves for the work which lies immediately before us. Thanks to Your Excellency's personal sympathy towards the States, and clear sighted grasp of their importance, both actual and potential, we have now been placed in a position in which we shall find full scope for all our efforts. We, as well as British India, have every reason to express our deep gratitude to Your Excellency for those devoted labours, crowned with such conspicuous success, which characterised your ambassadorial mission to England on behalf of Greater India this summer. With the recognition by the Prime Minister and Sir John Simon of the right of the States to appear as the third party in the Round Table Conference, we have attained a position of responsibility, in the affairs not merely of India but also of the Empire, which we shall labour to fill to the best of our ability. I do not conceal from Your Highnesses my conviction that the work which lies before us is both arduous and difficult. But I have every confidence that with the wisdom

of Your Excellency to counsel us, the statesmanship of the Indian Princes and of their advisors will prove equal to the task.

Despite our pre-occupation with these all important matters to which I have referred so briefly, the routine work of the Standing Committee continued without intermission. Two meetings were held in March and October respectively, and the following subjects were borne on their agenda:—

1. Radio Broadcasting in British India and its application to Indian States.
2. Restrictions imposed on the possession, purchase and importation of arms and ammunition for the personal use of the Rulers of States.
3. Representations of States on the Railway Board, the Rates Advisory Board and the Tariff Board.
4. Construction of dams in Indian States.
5. Revision of the rules for the administration of Indian People's Famine Trust.
6. Provision of a school at Satara for Junior Officers of the Indian States Forces.
7. Air Navigation in Indian States.
8. Dealings between Indian States and Capitalists and Financial Agents.
9. Powers to be given to Councils of Administration of Indian States to offer troops to Government in emergency in the absence of the Ruler from the State.
10. Grant to Ruling Princes and Chiefs of the privilege of exercising censorship over telegrams.

Out of these items the discussions on Radio Broadcasting and dealings with capitalists, etc., have been concluded and the summaries embodying the final recommendations of the Standing Committee will be presented to Your Highnesses during this Session.

Questions relating to the possession, purchase and export of arms and ammunition by Ruling Princes and Chiefs, and their subjects in the States and in British India, are still under examination. The scope of the subject however, has been widened in order to include the consideration of two important points, namely restrictions regarding possession, purchase, etc. of arms and ammunition by State officials and leading citizens or individuals; and restrictions on the authorities of the States regarding licences, sale and purchase of arms and ammunition within their territories. The matter was referred to a Joint Committee of representatives of the Government of India and of the Indian States Ministers and its report in the form of a supplementary memorandum was discussed by the Standing Committee in October last when an attempt was made to meet, as far as possible, all reasonable suggestions from the States and to remove practical difficulties now experienced. The proceedings of the Standing Committee are now under examination by the Government of India, and I am confident that before long a workable compromise will be accomplished.

The questions of representation of States on the Railway Board, Rates Advisory Board, and Tariff Board have been postponed for the present, as it was felt that such questions could be discussed more fruitfully after the relevant recommendations of the Butler Committee had been considered.

The question of the construction of dams has been found to possess a legal aspect also, as proper bases for the fixing of liability in case of damage and the venue to decide such questions have to be determined. The question has accordingly been referred to a Special Sub-Committee and it is proposed to bring this question again before the next Standing Committee.

The disposal of question regarding revision of the Rules for the administration of Indian People's Famine Funds awaits the receipt of certain information which the Political Secretary has, at our request, sought from the Honorary Secretary of the Trust. We hope to be able to dispose of this question satisfactorily before long.

The proposed scheme for a School at Satara for Junior Officers of the Indian State Forces, revealed difference of opinion amongst the Standing Committee members as some of us felt that it may be cheaper and more desirable to leave to the State concerned the primary military training of its junior officers through its own arrangement or in co-operation with other States, and to arrange for their later training at Staff College, Quetta or elsewhere. Finally it was decided that the States concerned should be circularised and asked to give definite assurances as to the number of Cadets forthcoming annually in each case, it being made clear that if the scheme was not fully supported it would have to be dropped. I believe the States are being addressed through usual channels.

The question of the grant to Ruling Princes and Chiefs of the privilege of exercising censorship over telegrams, particularly in emergencies, was referred to a Joint Committee of States' Ministers and Government of India Officers, and the preliminary points which emerged from the discussions of this Committee are now being examined by the departments concerned of the Government of India. This subject, as we all feel, is important from the view point of public safety and law and order in the States, and we foresee no practical objection from the Telegraph Department of the Government of India to the desired extension of censorship. As such the States have a right to expect from Your Excellency and the Government of India that they will appreciate the difficulties of the States in this matter and will examine this question with a sympathetic determination to help the States' governments.

The procedure to be adopted for the mobilization during an emergency of Indian States Forces Units, earmarked for the service of the Empire, in the absence from India of the Ruler concerned was also disposed of by the Standing Committee, and since only a few States are directly concerned a formal reference to Chamber has been obviated, in the special circumstances of this case. I would, therefore, content myself by remarking that the voluntary nature of the arrangements has been maintained, and it is recommended that the Councils of Administration in such cases may be authorised by the Rulers concerned to take necessary action. The States concerned will be addressed accordingly.

We have also had many prolonged sittings to discuss the intricate question of Air Navigation, and I am sure Your Highnesses will be glad to learn that we have reached a compromise in the Standing Committee which ensures the sovereignty over the air to the States concerned, and reserves our fiscal and other interests involved, making provision simultaneously, for necessary co-operation with the Government of India in the interest of discharging international obligations in its behalf, and for the security of India as a whole. This happy result was mainly secured through the constructive statesmanship of my colleagues, Their Highnesses of Bikaner, Kashmir and Bhopal and the sweet reasonableness of the Political Secretary and other experts of the departments concerned of the Government of India. The final summary embodying the result of the compromise is now under the examination of the Government of India, and I hope it will be placed before Your Highnesses in due course.

Apart from these questions, the Standing Committee also discussed certain questions informally. In this connection, it was decided, in view of Your Excellency's remarks in the opening address last year, to let the armorial bearings as they have been fixed on the walls of the Chamber, for aesthetic effect, without any attempt at arranging them according to precedence. Moreover, certain minor changes were effected in the summary regarding construction of Tramways, so as to embody accurately the intention of the compromise which was the basis of the summary. I may be permitted to add in this connection that as desired by many of my brother Princes, an attempt is being made to expedite examination of the connected question of applying same principles to compensation by new railways. The Standing Committee also recorded their thanks, to which I am sure all of Your Highnesses will subscribe, to His Excellency for the facilities and courtesies extended during the illness and regarding arrangements for the funeral of our brother the late lamented Maharaja Sahib of Bharatpur, as also later regarding funeral rites of his noble consort.

It is also my duty to inform Your Highnesses that in addition to the consideration of the topics mentioned above, we of the Standing Committee, have, at our informal meetings, been concentrating on many important questions, arising out of Butler Report and relating to the recent political developments, which have already been considered by Your Highnesses at the informal meetings last week. These informal meetings now provide an opportunity for transaction of important matters, as a supplement to our meetings here.

Before I conclude this statement, I feel I must express my deep and sincere obligations to Your Excellency, on behalf of the Standing Committee, for your unfailing kindness and courtesy. Whenever I and my colleagues have approached you, we have always received constructive advice and sympathy, which we value as the expressions of a true and earnest friend of our Order, of the Indian States and of India. Moreover, I would be failing in my duty, if I were not to record my indebtedness to my colleagues of the Standing Committee and to His Highness the Maharaj-Rana of Dholpur who, as substitute member, attended our Standing Committee meetings, for his valuable contributions towards the success of our labours; and last but not the least, I must record our obligations to the Political Secretary, Sir Charles Watson, whose assistance and reasonableness have been invaluable, as also to his Deputy, and other officers of the departments of the Government of India, who have contributed towards the transaction of our work.

Copy of resolutions adopted at the Conference of Ruling Princes held at Bombay in June 1929.

Without prejudice to the final expression of views of the Indian States on the Report of the Indian States Committee, and to such future action as may be deemed advisable by the Indian States—

- (1) This Informal Conference of the Indian States records its satisfaction at the Indian States Committee's recognition, in certain important respects, of the correct position of the States as instanced by their findings:—
 - (a) That the Treaties, Engagements and Sanads have been made with the Crown, and that the relationship of the States to the Paramount Power is a relationship to the Crown;
 - (b) That these Treaties, Engagements and Sanads are of continuing and binding force as between the States which made them and the Crown;
 - (c) That it is not correct to say that the Treaties with the Indian States must be read as a whole;
 - (d) That the Viceroy, and not the Governor-General-in-Council, should in future be the Agent for the Crown in all dealings with the Indian States.
- (2) Whilst welcoming the attainment by British India of her due place among the British Dominions under the aegis of the British Crown, this Conference expresses its gratification at the Indian States Committee's recognition—a corollary of the true constitutional position of the States—that the relationship between the Paramount Power and the Princes should not be transferred without the agreement of the Princes to any third party, which recognition leaves the door open for negotiation between the States and British India with a view to arriving at an equitable and satisfactory arrangement on terms fair and honourable alike to British India and the Indian States.
- (3) This Conference expresses its appreciation of the recognition of some of the claims of the States to relief from existing financial arrangements which adversely affect the States and their people in a variety of directions; and expresses its hope that the personnel and procedure of the Independent Export Committee which it is proposed should explore the financial and fiscal problems shall be settled in consultation between all the parties concerned.
- (4) This Conference expresses its disappointment at certain unsatisfactory aspects of the Report which are prejudicial to the interests of the States, and of India as a whole, as well as of the Empire, such as:—
 - (a) the failure of the Committee, after its admission that Sovereignty is divided between the Crown and the States, to draw any such dividing line as would place the rights of the Crown in regard to the States upon a definite, as opposed to a discretionary basis;

- (b) the assertion of the Committee that intervention on the part of the Paramount Power, which is not justified by the spirit and letter of the Subsisting Engagements, may be justified on the score of Imperial necessities and the shifting circumstances of time;
 - (c) the omission of the Committee to recommend that the existing machinery be made satisfactory and effective for the purpose of adjudicating upon matters affecting Subsisting Engagements, such as the internal autonomy of the States and disputes between the States and the British Government or British India or between States *Inter se*;
 - (d) the contention of the Committee that usage and suffrance, without the free consent of the States, and executive decisions are capable of themselves of modifying and impairing rights solemnly guaranteed by Treaties and Engagements and reaffirmed by successive Royal Proclamations;
 - (e) the failure of the Committee to distinguish between Sanads that are in the nature of agreements with, and those that were imposed upon, the States;
 - (f) the implied opinion of the Committee that usage based upon the cases of individual States is a source of paramountty applicable to the States as a whole, despite their admission that the Treaties cannot be read as a whole; and
 - (g) the failure of the Committee to provide effective means of securing to the States their rights in matters of common concern to India as a whole.
- (5) This Conference believes that these and other questions now at issue between the British authorities and the States, and between the States and British India, can at the present stage best be solved in personal discussion with His Excellency the Viceroy and by recourse to frank and friendly negotiations; and authorizes the Standing Committee of the Chamber of Princes to take such necessary action between the present date and the meeting of the Chamber of Princes in February 1930 as would facilitate this task.
- (6) This Conference authorizes the Princes on the Standing Committee to communicate informally to His Excellency the Viceroy, at the meeting to be held at Poona on the 28th June, its tentative views regarding the various findings and recommendations of the Indian States Committee.
- (7) This Conference re-affirms the Resolution of the Princes to devote to the moral and material progress of the subjects of the States the advantages resulting from the removal of those inequitable financial burdens under which the States at present labour.
- (8) This Conference, while appreciating the response already made in certain directions, invites the attention of States' Governments to the Resolution regarding essential Reforms passed in the Chamber of Princes on the 23rd February 1928, and emphasizes once again the supreme importance of giving full effect to it.

His Highness the Maharaja of Bikaner: Your Excellency; Your Highnesses: The hour is getting late, and there is a very heavy programme of business before our House this session, so I will not take up your time by making a lengthy speech dealing with the work done by His Highness the Chancellor, or alluding to the various points he has mentioned in his statement today. But it is with much pleasure that I rise to move a vote of thanks to His Highness the Maharaja of Patiala for his services and labours in the interests of the Princes and States which have again devolved upon His Highness as Chancellor during the past 12 months. I should like to be permitted to tender my warm thanks to His Highness for the more than generous terms in which he has alluded to me, and I also wish to associate myself wholeheartedly with the tribute that he has paid to Colonel Haksar, Director of our Special Organisation, to Professor Rushbrook-Williams, Joint Director in charge of the London Branch of our Organisation and to Mir Maqbool Mahmood, Secretary to His Highness the Chancellor.

His Highness the Maharaja of Dewas (Senior Branch): Your Excellency; Your Highnesses: It affords me very great pleasure indeed to join voices with my esteemed brother His Highness the Maharaja of Bikaner in expressing our gratitude to His Highness the Chancellor for his wholehearted devotion to duty in that capacity. I think it is only fair to state, and I trust His Highness the Chancellor would not object to the phrase, that he has been a very willing and a very loyal servant of the Order. I think it will be agreed that serving others is one of the greatest privileges of life and while one who has willingly and faithfully served others is entitled to the rare satisfaction which can be derived from the consciousness of duty honestly performed, those who have been served owe to him the duty of publicly acknowledging their gratitude for such services.

As I view the position, I can honestly say that we owe him much. We owe him the gift of the services for a protracted period of one of his ablest officers who has rendered valuable service. We owe it to him to acknowledge that throughout the past twelve months he has kept the wheels of the machinery known as the Chancellor's Secretariat moving, and we owe to his very generous support towards making it possible, of course with others of our large-hearted brothers, to achieve the work that has been done during the last 18 months and more. Indeed, so keen is he in keeping us all up to the mark and so zealous in our cause that sometimes we have felt aggrieved at the flood of Circular letters which he continually pours down upon us with the noble object of ensuring that no matter of importance to our interests should be overlooked or their disposal delayed.

In conclusion I would merely say that he has laboured incessantly in the discharge of his sacred trust and therefore he is entitled to our profound gratitude.

(A vote of thanks to His Highness the Chancellor was carried unanimously.)

His Highness the Maharaja of Patiala: With Your Excellency's permission I beg to thank my brother, His Highness of Bikaner and His Highness of Dewas (Senior Branch) and all Their Highnesses for their appreciation of my humble work.

His Excellency the Viceroy: That concludes our business for the day with the exception of one remark that it may be convenient to make. I understand that a suggestion has been made, for the convenience of transaction of other important business, that it might suit some, perhaps all of Your Highnesses, if the various elections that take place at the end of our session took place at some earlier date than the last day. I do not know what day Your Highnesses would find most convenient—tomorrow or the day after. It means, so far as I am concerned, merely the transposition of Your Highnesses' work and I am entirely in Your Highnesses' hands with regard to the arrangement of business.

His Highness the Maharaja of Patiala: February 27th, if that would be convenient to Your Excellency.

His Excellency the Viceroy: That is Thursday. If that is generally acceptable to the Chancellor and Your Highnesses, I shall ask Sir Charles Watson to redraft the work card accordingly.

The Hon'ble Sir Charles Watson: May I ask if the elections are to take place before the other business, or whether that is to be the last item on Thursday?

His Excellency the Viceroy: I take it that it will be the intention of the House that this will be the first item on Thursday, and that what business has been arranged that day should take place after we have had the elections. We shall now have the photograph.

This concluded the proceedings of the day.

PROCEEDINGS OF THE SECOND DAY.

February 26th, 1930.

The following Ruling Princes and Chiefs were present:—

Kashmir.

His Highness the Maharaja of Kashmir.

Central India.

The Rao of Alipura.	His Highness the Raja of Jhabua.
His Highness the Nawab of Bhopal.	His Highness the Raja of Narsingarh.
His Highness the Maharaja of Charkhari.	His Highness the Maharaja of Panna.
His Highness the Maharaja of Datia.	His Highness the Raja of Rajgarh.
His Highness the Maharaja of Dewas	His Highness the Maharaja of Rewa.
(Senior Branch).	His Highness the Raja of Sitamau.

Rajputana.

His Highness the Maharaja of Alwar.	His Highness the Maharawal of Dungar-
His Highness the Maharaja of Bikaner.	pur.
His Highness the Maharaja of Bundi.	His Highness the Maharaja of Jodhpur.
His Highness the Maharaj-Rana of	His Highness the Maharaja of
Dholpur.	Kishengarh.
	His Highness the Maharao of Kotah.

Punjab States.

His Highness the Nawab of Bahawalpur.	His Highness the Raja of Mandi.
His Highness the Maharaja of	His Highness the Maharaja of Patiala.
Kanurthala.	His Highness the Maharaja of Sirmur.
His Highness the Nawab of Malerkotla.	His Highness the Raja of Suket.

Western India States.

His Highness the Maharaja of	His Highness the Raj Saheb
Porbandar.	Wankaner.

Bombay.

The Nawab of Balasinor.	The Chief of Jamkhandi.
The Raja of Bansda.	The Raja of Lunawada.
The Pant Sachiv of Bhor.	His Highness the Maharaja of Rajpipla.
The Maharana of Danta.	His Highness the Chief of Sangli.

Bihar and Orissa.

The Raja of Baudh.	The Raja of Talcher.
--------------------	----------------------

Punjab.

The Raja of Baghat.	The Raja of Kalsia.
---------------------	---------------------

United Provinces.

His Highness the Raja of Tehri (Garhwal).

Agendum No. 5.

Statement from His Highness the Maharaja of Kapurthala regarding his work as a representative of India at the meeting of the League of Nations in 1929.

His Excellency the Viceroy: I call upon His Highness the Maharaja of Kapurthala to present his statement regarding his work as a representative of India at the meeting of the League of Nations in 1929.

His Highness the Maharaja of Kapurthala: This is the third time that I have had the privilege of appearing in this Chamber to report as a member of the Indian Delegation to the Assembly of the League of Nations at Geneva, and I must once more acknowledge the honour of serving with the Indian Delegation as a Ruling Prince of India. There were reasons of a personal nature which made my attendance at Geneva not altogether easy to arrange this year, but, in the circumstances in which the invitation was extended to me, I felt that I could not refuse it, although it involved a rearrangement of my plans.

I shall state shortly the reasons for which the Assembly of 1929 must be regarded as one of the most important so far held. But I must, first of all, mention a fact which made this Assembly specially memorable from the point of view of India, and that is that the Indian Delegation was led for the first time by an Indian, by friend Sir Muhammad Habibullah. The members of our Order are always ready to show their sympathy with the legitimate aspirations of the leaders of British India, and I am sure that we shall agree in welcoming this recognition of their desires. If, as we may hope, the honour of leading the Delegation falls upon one of us in the near future, we shall confidently rely upon receiving their support.

Sir Muhammad discharged his difficult task in a manner which not only accorded with his distinguished record but enhanced it. The Delegation was indebted to his good judgment and his statesmanship, and I hope also that the presence of a member of Your Highnesses' Order served to strengthen its prestige and that my own previous experience at Geneva was not without value. I need hardly say that the relations between Sir Muhammad and myself were not merely correct but cordial.

My other colleagues were Sir Ewart Greaves, who has been a distinguished Judge of the Calcutta High Court and who took charge of the legal side of our work, Sir Chunilal Mehta, who has had great experience of business and of public service in Bombay, Sir Geoffrey Corbett, who was until lately Secretary to the Government of India in the Commerce Department, and finally, Syed Raza Ali, of the Indian Public Service Commission, to whom I am indebted for having acted as my deputy in much of the Committee work. Sir Muhammad Habibullah and Sir Geoffrey Corbett represented two departments of the Government of India which are closely concerned with the work of the League and that was a most useful innovation. I think that all my colleagues felt themselves handicapped by their lack of previous experience at Geneva, and we have called attention in our official report to the importance of continuity in the personnel of the Delegation to the Assembly. The British Delegation, the Prime Minister, the Secretary of State for

Foreign Affairs and the President of the Board of Trade, as well as Lord Cecil of Chelwood, whose influence at Geneva is very great, was probably as strong a Delegation as has ever attended the Assembly. It was notable also for the fact that two of its eight members were women. The British Dominions were also strongly represented.

It is interesting to observe how useful and valuable the Assembly is for the opportunities which it affords for the different parts of the British Empire to keep in touch with one another through their representatives at Geneva. The Assembly each year serves as a sort of informal Imperial Conference and plays not a small part in maintaining the solidarity of the British Empire.

The Assembly of last September differed noticeably from the previous Assemblies which I have had the honour of attending—those of 1926 and 1927. The first of these occasions was remarkable for the entry of Germany into the League, and though no single event of so much dramatic interest occurred last September, the Assembly of 1929 will be remembered for its great activity and for the definite progress which was made in international relations. Since the failure of the Geneva Protocol of 1924 the League has been engaged in a steady consolidation of its position, and several years have been occupied in sound development without any conspicuous achievements. The attitude of the British Government of the day exercises a strong influence on the general policy of the League and the late Conservative Government, while nonetheless sincere in their faith in the League, favoured, in the League's own interests, a comparatively slow evolution and the development of a tradition. The present Labour Government naturally supports the more rapid application of new methods, and its advent to power was undoubtedly a stimulus to the active prosecution of the ideas with which the League is associated.

The British Prime Minister, Mr. Ramsay MacDonald, was himself present during the greater part of the first week of the Assembly, and he opened the general debate with a remarkable speech which strongly influenced the subsequent proceedings. The fact that it reviewed practically the whole field of British foreign policy was welcomed as evidence that Great Britain intended to base her foreign policy as a whole upon the principles of the League. The speech contained an important passage on the subject of future relations between the East and the West. This passage referred, primarily, to the negotiations with Egypt, but it was of general application, and as such it was welcomed with warm appreciation by the First Delegate of China. I may perhaps digress here to deal with a point which is of special interest to Eastern countries. It has been a matter of regret that China has not hitherto been able to take an adequate part in the work of the League, and when the National Government first established itself it appeared to be inclined to regard the League with some suspicion. China was very ably represented at the last Assembly and there is now evidence that she is satisfied of the impartiality and good will of the League, and is fully prepared to co-operate with it. This will obviously do much to promote the development of relations between Asia and the League.

The most important feature of Mr. MacDonald's speech was his announcement that Great Britain intended to sign the Optional Clause of the Statute of the Permanent Court of International Justice. States which have not signed that clause need not refer the disputes in which they are

involved to the jurisdiction of the Court except by mutual consent in each particular case. The signature of the clause, provided that it is ratified, means that all disputes of a legal character between States which have signed it must be settled by the Court. It has always been felt that the States of the British Empire should act together in the matter of accepting the compulsory jurisdiction of the Court. Until recently there was general agreement in the British Empire that the time was not ripe to accept so serious an obligation. But it was now felt that the reputation of the Court as a fully competent and impartial tribunal was established and that there need be no further hesitation in taking a step which would have a profound influence on international confidence and would facilitate the reduction of armaments. After considerable discussion a declaration of acceptance was drawn up which suited the complex circumstances of the British Empire. I will not go into technical details except to say that this declaration provides that inter-Imperial disputes shall be settled otherwise than by reference to the International Court, and that questions which though legal in their nature, may yield more satisfactorily to treatment by political methods, can, if desired, be referred to the Council of the League for consideration before they go to the Court. By the time the Assembly was over, the Optional Clause had been signed by all the British Empire States and by various others who followed their example, and a notable advance towards the peaceful settlement of disputes had been recorded.

The most distinguished of the speakers who followed Mr. Ramsay MacDonald were Monsieur Briand, then Prime Minister of France, and the late Dr. Stresemann, then Foreign Minister of Germany. In Dr. Stresemann's case it was his last speech, for he died within a few weeks. His death is a loss not only to his friends, among whom I count myself, and to his country, to the interests of which he made himself a martyr, but to the whole world, which has benefited by the conciliatory policy which he pursued. I would pay my tribute to him as a great statesman who, as has been well said, took upon himself the task of recovering by peaceful methods the position which his country had lost by the methods of war. He lived long enough to see the justification of his policy and its acceptance by his countrymen.

Both Monsieur Briand and Dr. Stresemann spoke on disarmament, but naturally from points of view which were somewhat different if not opposed. The German Government, like others whose policy is in favour of a general and substantial reduction of armaments, is dissatisfied with the position in which this matter rests at present. The French Government, and others whose circumstances are similar, have to act in conformity with a public opinion which has bitter and painful memories and which is hard to satisfy in regard to security. The promising feature of the disarmament problem at the time of the Assembly was the state of the negotiations between Great Britain and the United States of America on the naval question, and all parties were agreed that an understanding between the Naval Powers would do much to facilitate progress towards a general agreement.

Another matter of great general interest which was dealt with by both Monsieur Briand and Dr. Stresemann was the idea known as the "United States of Europe". This is an idea about which there has been much discussion and propaganda in intellectual circles in Europe, but to which Monsieur Briand was the first practical statesman to lend his authority.

He did not give any precise definition of his conception of it, although he led it be known that he proposed to do so before the next Assembly in order that it might be further and more definitely discussed. But he expressed his opinion that there ought to be some regular machinery by means of which the States of Europe could consult together with a view to collaboration on matters of common interest, particularly in the economic sphere but also to some extent in the field of politics. Europe is divided up into units which for the purposes of modern economic production are too small. How to produce large scale economic units without undue sacrifice of political independence and without arousing suspicions and antagonisms elsewhere is the problem. Dr. Stresemann gave a cautious approval to the idea. He pointed out that the League was not strictly concerned with a Continental problem; he would not associate himself with any combination which might be directed against the interests of other Continents; but he thought that there was no doubt that economic interests were being greatly damaged by national exclusiveness and that anything which tended towards a more rational organisation of industry would be to the economic advantage not only of the countries which took part in such arrangements but even to the whole world. The application of the idea presents many practical difficulties, particularly in relation to the British Empire, not only because so much of the Empire is geographically outside Europe, but because so many of the economic problems of the Empire are fundamentally different from those of Europe. The development of the initiative which Monsieur Briand took this year will be awaited with great interest.

One of the aspects of the League's activity which is of most direct interest to India is its work on social and humanitarian subjects. I took part, as I have done in previous years, in the discussions of the Committee to which these subjects are referred. The League has done and is doing much excellent work in this field, both in regard to collecting, comparing and distributing information as to the laws and methods of different countries, so that each may have the benefit of the experience of the others, and also in promoting agreements and co-operation in matters of international concern. I had occasion previously to express a warning against the tendency to look upon Eastern social conditions with Western pre-conceptions, and I think that this warning has borne fruit. A special enquiry was conducted recently into the international traffic in women and children, and this enquiry dealt with conditions in America, in Europe and in the Near East. A desire had been expressed and had received general support that this enquiry should be extended to other countries and in particular to those of the East. But it was recognised that the methods and personnel of the enquiry would have to be altered to suit the different conditions of the new field of the enquiry. I announced that the enquiry would be welcomed in India on the understanding that these alterations were satisfactorily carried out. Your Highnesses will not need to be told that there is a great interest taken abroad in the social conditions of India and at the same time there is not a little misunderstanding. I thought it would be a useful service if I took advantage of the opportunity which the Assembly affords of eradicating some of this misunderstanding and of supplying authoritative evidence of the very significant changes which are beginning to take place in India. I will not weary the Chamber by repeating facts which are within Your Highnesses' knowledge, and I would only mention that in attempting to do justice to the progress which is

being made in British India, I did not fail to give some account of the movement of reform which is also to be observed in the Indian States. I said that at any rate in the more wealthy and progressive States the advancement of ideas was no less marked than in British India, and that indeed some of the States were ahead of British India in certain important respects. I named certain Princesses of Your Highnesses' Order who have played a conspicuous and distinguished part in the movement which is growing up in such a promising fashion among the women of India.

A notable advance was made this year in the campaign for dealing effectively with the deplorable traffic in dangerous drugs. This is a matter in which we in India have a strong interest. For the good of other countries we have made great sacrifices in the export of opium; yet we have been suffering considerably from the illicit importation of manufactured drugs such as morphine, heroin and cocaine and in the absence of control the improper consumption of these drugs might become a great national evil as it has already become in some other parts of the world. The manufacture of these drugs is known to be enormously in excess of medical and scientific requirements. Hitherto most of the countries in which the factories are situated, while they have been persuaded with difficulty to adopt certain measures for regulating the trade, have been unwilling to take effective steps to reduce manufacture to the quantities legitimately required. This year they agree to confer together with the object of limiting manufacture to medical and scientific requirements by international convention. This development is entirely due to the pressure of public opinion stimulated and mobilised by the League which has been able to establish the facts as to over-production, to expose the extent and methods of the illicit traffic and to lead reluctant Governments to recognise their responsibility for the damage which is being caused to the inhabitants of other countries by their failure to exercise proper control. This is a very good example of the influence which the League can usefully and legitimately exercise towards social and humanitarian reform. In matters of this sort an international conscience is being moulded which demands active measures and sooner or later secures their adoption. Governments have to watch these developments of opinion most closely in the interests of their prestige. None can afford to disregard the damage which their reputations may suffer if they fail to conform to the rising standards of civilization.

These are, I think, the features of the Assembly's work on which Your Highnesses are most likely to desire information. The Assembly also dealt with many other matters of varying degrees of importance, but I could not even summarise them without unduly trespassing upon the time of the Chamber. I would venture to refer those who may wish for further details to the official report of the Delegation which has been published.

I would only make one further remark. The annual meeting of leading representatives of nearly all the countries of the world affords an unexampled opportunity of personal intercourse, and much may be done, not only in the official meetings but equally perhaps on occasions of a social nature, to promote the mutual enlightenment which is so necessary for the future harmony of international relations. There are many features of the very complex organisation of the British Empire which foreigners find great difficulty in understanding and about which they show great curiosity. On none of these subjects is there more need for

enlightenment than in the case of the Indian States, and I venture to hope, indeed to think, that the presence of an Indian Prince in the Indian Delegation at Geneva does much to bring about an appreciation of our position and traditions. Social intercourse plays an important part in this work, and I have always done my best to maintain the high traditions of our Order in that respect. I have had the privilege of entertaining many notable statesmen and I have been received everywhere with the highest marks of distinction. Our prestige and our precedence are well recognised at Geneva, thanks to the distinguished conduct of those Princes who, besides myself, have served as Delegates at the Assembly. I am glad to say that the same social privilege was accorded to me as on the two former occasions in 1926 and 1927. The honours which we individually receive are a tribute to the whole of the Ruling Princes of India.

I thank Your Excellency and Your Highnesses for your courteous attention.

His Highness the Maharaja of Patiala: Your Excellency; Your Highnesses: I am confident that I voice the unanimous opinion of this House, when I rise to propose a vote of thanks to His Highness the Maharaja Sahib of Kapurthala for his valuable work as a member of the Indian Delegation to the League of Nations Assembly at Geneva last year. This was the third time that His Highness was invited to join the Indian Delegation to the League and every year he has amply justified his selection. As remarked by His Highness, the social aspect of the Assembly at Geneva is not less important than its political record. The opportunity which Geneva offers, for the representatives of the governments of the world to meet and exchange ideas and to cultivate personal friendship is by no means a mean achievement in the interest of World peace. As such a gathering, the international friendships, the broad outlook, the personal geniality, and a facile mastery both of English and French particularly equip His Highness of Kapurthala to play the role of our ambassador, and he has richly deserved our vote of thanks for the third time by his record of work there.

Your Excellency, we of the Indian States have always believed in the possibilities of the League. It has not brought the millennium, it could not bring the millennium by pressing an electric button. No wonder that the slow but steady progress which such an institution must perforce make, because of its limitations, has damped the enthusiasm of those idealists who expected wonders from it. But the League has already made a constructive record of which it need not blush; its future is full of promise. As such we have been happy to learn that this Session has secured the adherence of the British Empire to the optional clause, that a further advance was made towards disarmament, that China's suspicions are being eliminated, and that attempts have been made to ensure better understanding between the East and the West. We have also read with interest the proposal to organise a United States of Europe. Any such proposal, which attempts to bring nations together is a step in the right direction provided it proceeds on the correct basis and broad premises. I am sure that the constructive statesmanship of the various Delegates to the Assembly will ensure that healthy outlook and understanding, which is essential to bring East and West nearer with ties of cultural and economic co-ordination. Your Excellency, I entirely agree with my friend His Highness of Kapurthala that the social and humanitarian activities of the League are no less important than its political

achievements. On this side, we welcome the proposed control of traffic in dangerous drugs and I am sure we will all read with interest His Highness' illuminating speech at the fifth Committee on Social and Mumanitarian Questions. Last but not the least, let me associate myself with His Highness of Kapurthala's remarks regarding the cordial relationship between the various members of the Indian Delegation. This was the first year when an Indian had the honour of leading this delegation, and we are glad that the mutual relations of the Prince on the Delegation and the British Indian Leader have been as they are desired, and as they were expected. I am confident that the future Indian Delegations, be they lead by an Indian Prince as we hope would be arranged before long, or by one of our British Indian compatriots, will conduct themselves in a manner worthy of the great traditions of India and the Indian States, and deserving of the great cause for which the League stands.

His Highness the Maharaja of Bikaner: Your Excellency; Your Highnesses: This is the third time that His Highness the Maharaja of Kapurthala has done credit to his own Order, which he particularly represented at the League of Nations; and it has been my privilege before this to have addressed the Chamber in praise and grateful appreciation of the valuable services rendered by His Highness at that great—perhaps the greatest—Assembly of the Nations of the World.

In speaking on the Resolution I recall with much pleasure that His Highness is one of my oldest friends, amongst my brother Princes living today, with whom I have had the privilege of claiming warm friendship for the last 35 years, and whom I regard as an elder brother; and I know that His Highness will be the last person to think that I am lukewarm in seconding this resolution if, on account of the call upon our time during this Session, I did not speak at length—though there are several things that I should like to have said today.

An accomplished and cultured Prince, with more than half a century's record of successful and wise reign over his people who are attached to him by sentiments of loyalty and devotion, does not need lengthy observations in support of any praise justly due to him, or in appreciation of valuable work done at International gatherings, which enhance the prestige of his brother Princes and the Indian States, and thus, without any further remarks it is with sincere pleasure that I second this resolution.

His Excellency the Viceroy: I should like to associate myself with what has been said by the mover and seconder of this resolution, and take the opportunity of adding my word of personal thanks to His Highness the Maharaja of Kapurthala for the valuable work that he has been able to do on behalf of India at the League of Nations. Your Highnesses have heard the motion which has been proposed and seconded. Will you be pleased to signify your assent in the usual way?

(The Resolution was carried unanimously.)

His Highness the Maharaja of Kapurthala: I thank Your Excellency for the kind words in which you have referred to my work, and I can only say that I did my duty in the best way I could.

Agendum No. 8.

Resolution by His Highness the Nawab of Maler Kotla that it be made clear in the Rules for the elections of the Chancellor and Pro-Chancellor, and Members and Substitute Members of the Standing Committee that votes cast in favour of those candidates who have intimated their intention not to stand shall be considered as cancelled

His Highness the Nawab of Maler Kotla: Your Excellency; Your Highnesses: The resolution which stands in my name reads as follows:—

“That it be made clear in the Rules for the elections of the Chancellor and Pro-Chancellor and Members and Substitute Members of the Standing Committee that votes cast in favour of those candidates who have intimated their intention not to stand shall be considered as cancelled.”

This resolution does not require much elucidation. A resolution was passed last year that the Princes who do not wish to seek any particular election shall intimate their intention to that effect. The object of moving the present resolution is that votes may not be wasted by being cast in favour of such members who are not seeking election. I therefore move this resolution and I commend it to Your Highnesses' acceptance.

His Highness the Nawab of Bhopal: Your Excellency; Your Highnesses: I am in full agreement with His Highness the Nawab of Maler Kotla and have great pleasure in seconding the Resolution.

His Excellency the Viceroy: Any others of Your Highnesses desire to speak? If not, I will put the motion. Those in favour of the resolution will signify their assent.

(The Resolution was carried unanimously.)

Agendum No. 6.

Resolution by His Highness the Maharaja of Patiala regarding amendment of Regulation 3 of Part I of the First Regulations relating to the appointment of Chancellor and Pro-Chancellor.

His Highness the Maharaja of Patiala: Your Excellency; Your Highnesses: The amendment to rules which stands in my name speaks for itself. It may not be of immediate practical consequence, but is intended to remove a possible anomaly. Your Excellency may remember that originally, under our constitution, in the event of a casual vacancy in the office of the Chancellor, the member who secured the second highest number of votes at the previous election of the Chancellor officiated. That, as was pointed out by me last year in moving my resolution regarding the appointment of Pro-Chancellor, was open to three practical objections, which apply equally to the existing rules under which, in the event of the Pro-Chancellor's absence or incapacitation, the Prince who secures second highest number of votes at the election of the Chancellor officiates. Stated briefly, these objections are:—First, that should a Chancellor elected unanimously proceed out of India and the Pro-Chancellor also be incapacitated or absent from India, obvious difficulties would arise as to who it to act for the latter. Second, at the time of the election of the Chancellor,

the Chamber concentrates primarily on the election of its Chancellor, and is apt to forget that the Prince who secured the second highest number of votes, may have to officiate. Moreover, the Prince, who would obviously be best suited to act for the Pro-Chancellor may, for obvious reasons, not like to contest election, with the proposed Chancellor. This under the existing rules, would deprive the Chamber of his direction and help in the event of both the Chancellor and the Pro-Chancellor proceeding out of India, or otherwise getting incapacitated. This argument is stronger this year than even last year, since our revised rules provide that those Princes who do not wish to contest any particular election should declare accordingly. Moreover, the Chancellor and the Pro-Chancellor become *ex-officio* members of the Standing Committee, and it may happen that the Prince who stood second on the list of the Chancellor's election may not be even a member of the Standing Committee. Under the existing regulations, the absence of the Chancellor and Pro-Chancellor will make such a Prince *ex-officio* member of the Standing Committee, and will thus place on him the onerous responsibility of directing the work of the Standing Committee. This may entrust these duties to a Prince who is out of touch with the work of the Standing Committee, which must detract from the efficiency and continuity of policy of the work of the Committee.

My proposed amendment attempts to eliminate these objections, and follows as a natural corollary to the resolution regarding appointment of a Pro-Chancellor, which we adopted last year. As such, I beg leave to move the amendment which reads as follows:—

“That this Chamber recommends to His Excellency the Viceroy that the following be substituted for the first paragraph of Regulation 3 of Part I of the First Regulations regarding the appointment of Chancellor and Pro-Chancellor:—

‘In the event of a casual vacancy occurring from any cause in the office of the Chancellor, the Pro-Chancellor shall act as Chancellor during the vacancy and be designated Officiating Chancellor, provided that, if the Chancellor goes out of India on duty connected with the work of the Chamber, he shall retain the office of Chancellor while abroad, the Pro-Chancellor performing his duties in India during his (the Chancellor's) absence. In the event of a casual vacancy occurring from any cause in the office of the Pro-Chancellor, the Member who at the last preceding election of the *Standing Committee* obtained the highest number of votes shall take his place, and failing him, the member who stood second in the voting, and so on.’”

His Highness the Maharaja of Kishangarh: Your Excellency; Your Highnesses: I rise to second His Highness the Chancellor's resolution, for reasons, which are obvious and cogent.

Looking to how onerous and important are the duties and the responsibilities, attached to the high Office of the Chancellor in our present day conditions, none of us would like that a member who is not in close touch with the inner working of our organisation may be called upon to shoulder them. This would be neither fair to him nor to our order.

Knowing, as we do, how important and heavy are going to be the engagements of our organisation this year and in years to come, I beg to

submit that the existing draw-back in the rules calls for a timely provision, such as this amendment offers.

With these observations, I beg to commend this resolution for Your Highnesses' acceptance.

His Excellency the Viceroy: Your Highnesses have heard the Resolution and I think have it before you. I have now to ask you to signify your pleasure by raising your hands.

(The Resolution was carried unanimously.)

Agendum No. 7.

Resolution by His Highness the Maharaja of Patiala regarding amendment of Rule 3 of the Rules of Business relating to the notice to be given for proposing subjects for inclusion in the agenda of the Chamber.

His Highness the Maharaja of Patiala: Your Excellency; Your Highnesses: I rise to move the following resolution:

"That the Chamber recommends to His Excellency the Viceroy that Rule 3 of the Rules for the conduct of business be amended by inserting the words "at least" before the words "two months" to make it permissible for Princes to give written notice of their intention to propose any subject for inclusion in the agenda more than two months before the session of the Chamber of Princes".

It is merely of a formal nature and I am beholden to my friend the Hon'ble Sir Charles Watson for suggesting the form of the amendment proposed in this resolution. Your Excellency might remember that last year we unanimously adopted His Highness of Bhopal's resolution recommending that ordinarily the meetings of the Chamber should be held on the 2nd or 3rd Monday in February, and those of the Standing Committee should be held on the 8th Mondays of March and November respectively. This means that the hiatus between our Chamber meetings and the Standing Committee preceding it, which prepares the Agenda for the Chamber, would ordinarily be about three months; while under rule 3 of the Rules for Business, any member or representative member desiring to propose any subject for inclusion in the Agenda for any meeting must give written notice of his proposal to the Chancellor two months before the date fixed for the meeting.

Thus, it would, under the existing rules, be almost impossible for the Standing Committee, in session, to consider the resolutions for which timely notices had been given for the Chamber Session to follow. To obviate this difficulty, we have proposed a dual arrangement. Firstly, by the resolution which I have the honour to move now, we are making it clear in the rules that notice required need not specifically be of two months, but may be longer so that those resolutions which are ready could be considered by the Standing Committee preceding the Chamber session. Secondly, we have evolved a convention, consistent with our rules, for the resolutions received after the Standing Committee meetings, to be dealt with through correspondence between the Chancellor and the members of the Standing Committee before being submitted to Your Excellency for approval. I may be permitted to add that the addition proposed of the words "at least" has been deliberately preferred to the amendment of rules from two months to

three months' notice, as three months' minimum notice would have worked obvious difficulties in practice. We have accordingly proposed the best *via media* possible which I commend to Your Highnesses for acceptance.

His Highness the Raja of Sitamau: Your Excellency; Your Highnesses: I second the Resolution.

His Excellency the Viceroy: Your Highnesses have heard the Resolution and I have to ask you to signify your pleasure. Will those in favour please hold up their hands?

(The Resolution was carried unanimously.)

Agendum No. 9

To consider the recommendation of the Standing Committee in regard to the question of Radio Broadcasting in British India and its application to Indian States.

His Highness the Maharaja of Patiala: Your Excellency; Your Highnesses: I feel I owe this Chamber an apology for presenting this subject for the third time. This is inevitable sometimes, under the present procedure, when summaries approved by the Chamber get amended as a result of subsequent criticism by Local Governments, etc., and the Standing Committee naturally cannot agree to such later amendments without securing Your Highnesses' approval. I trust, however, that the acceptance of relevant suggestions in paragraph 73 of the Butler Report will in future eliminate the necessity of such repeated references to the Chamber.

Your Excellency, the summary regarding this question was first generally approved by this Chamber in January 1926.

Soon after that, the broadcast receiver license fee of Rs. 12 and the Broadcasting Company's share of Rs. 10 were subsequently reduced in British India to Rs. 10 and Rs. 8 respectively. The Standing Committee recommended in May 1926 that a similar reduction should be made in the case of Indian States. This was brought to Your Highnesses' notice during the Chamber meetings of November 1926, and the recommendation was accepted by Your Highnesses.

In the Summary approved by Your Highnesses in January 1926, the following settlement was adopted for the apportionment of the Broadcast receiver license fees:—

(1) In many parts of British India where a broadcasting station might be erected its programmes will be easily readable in Indian States, and *vice versa*. It therefore appears desirable that there should be some arrangement whereby listeners in Indian States contribute to the revenue of broadcasting stations in British India and *vice versa*.

(2) It is therefore suggested that Indian States should—

(a) grant broadcast receiver licenses subject to such conditions as the State thinks fit, observing the procedure and conditions applicable to British India would possibly be equally applicable in most Indian States, with such modifications as may be found necessary,

(b) charge an annual fee for each broadcast receiver license, and

(c) pay a share of this fee to any broadcasting station which, although operating in British India does in fact serve an Indian State

The Government of India circulated this summary to Local Governments, etc., and some criticisms were received. Moreover, further experience showed that the proposal to apportion shares of the Broadcast receiver license fees on the proposed basis cannot be maintained, because it was found impossible in practice to determine the extent to which receivers may be served by one particular Broadcasting station. Consequently, the only practical solution was that the Broadcast receiver license fees collected in British India should be retained by the Government of India, and that similar fees collected in an Indian State should accrue to the State concerned. Accordingly, the Government of India again referred this question to the Standing Committee and it was considered at the meetings of January and March 1929. As a result of our examination, the following revised formula, as quoted in para. 3 of the final summary, has been evolved, as the most equitable practical basis for the apportionment of license fees:—

“Each State and British India should collect the Broadcasting receiver license fee for stations within its own territory and would have no claim to a share of similar license fees for stations outside its own territory; but the collecting authority would of course be free to pay any share of the fees collected to any Broadcasting agency, whether inside or outside its territory, which does in fact provide a Broadcasting service to stations within that territory.”

Your Highnesses will appreciate that this arrangement is based on reciprocity. Moreover, the Standing Committee also secured the assurances contained in paragraph 5 of the revised summary, to the effect that when Your Highnesses agree to the policy proposed, instructions will be issued to the authorities concerned, so that the term “seditious” may be understood as including matters offending against States in India. The Policy contained in this summary is liable to mutual revision in the light of subsequent experience.

I now commend the summary as revised in column 3 for Your Highnesses’ general acceptance.

His Highness the Maharawal of Dungarpur: Your Excellency; Your Highnesses: I beg to second the Resolution.

His Excellency the Viceroy: I put the Resolution to Your Highnesses unless any other speaker desires to speak. It has been moved and seconded and represents the result of a good deal of consideration by the Standing Committee on a subject which the Government of India recognise as one of great importance. Will those in favour of the summary as prepared by the Standing Committee please signify the same?

(The Resolution was carried unanimously.)

Agendum No. 10.

To consider the recommendation of the Standing Committee regarding the question of Dealings between Indian States and Capitalists and Financial Agents.

His Highness the Maharaja of Patiala: Your Excellency; Your Highnesses: This question is by no means a new one. It was discussed in the

Chamber of Princes in November 1924 when the summary in the form of column 5 was adopted. But the Government of India again circulated it for views of Local Governments and Political Officers, etc., and placed it as amended in column 6 before the Standing Committee. When the revised summary came before us in the Committee, I expressed the following unanimous opinion on behalf of the Princes on the Standing Committee:—

“In the absence of a clear mandate from the Chamber to that effect, it is doubtful whether the Standing Committee have the power to re-examine a question which on their recommendation has been discussed and accepted by the Chamber in the form of a resolution. It is, therefore, recommended that the next meeting of the Standing Committee should include as an item on its Agenda, a determination of the correct procedure of its own function, and that the Political Department should accordingly be requested to prepare a summary dealing with existing procedure”.

The determination of the procedure necessary to deal with such cases, accordingly formed the subject of a separate file and is being considered. In the meantime, subject to the procedure ultimately adopted, the matter has been considered by successive meetings of the Standing Committee. As a result of our deliberations, the summary amended in the form of column 7 is placed before Your Highnesses for discussion.

Your Highnesses will find that the main difference between the summary approved by the Chamber and that now recommended is in clause 3, which was originally adopted as follows:—

“Inter-statal loans or loans by one Ruler to another require the consent of the Government of India, and where such a loan is made without such consent, it will be at the lender's own risk and Government will not ordinarily intervene to secure its repayment”.

It was pointed out that “the second sentence of this clause contradicted the first sentence”. Accordingly, the Government of India desired the deletion of the clause in thick type of column 5 that is,—“and where such loan is made without such consent, it will be at the lender's own risk and Government of India will not ordinarily intervene to secure its repayment”. After careful consideration agreement was secured, by which this sub-clause was omitted but loans from one ruler to the other were distinguished from loans by one State to another, the latter requiring the consent of the Government of India but not the former. Moreover, the new definition of public loan was considered unnecessary, so deleted.

Your Highnesses will also observe that clause 1 has been suitably amended. It now makes it clear that the information required of the loans proposed by States is necessary, not, as previously stated, “to avoid the possibility of such loans clashing with similar operations by the Government of India”, but merely “in order to give the Government of India an opportunity of offering friendly advice on the subject, if necessary”, as they are supposed to know more details about money market which may not be in the possession of the State concerned. Moreover, the following clause, which appeared in column 2, but had somehow been omitted, when the summary came before the Chamber, has been added. It enjoins that

this summary "will not apply to the case of short loans for temporary purposes only from Banks recognised for this purpose by the Government of India". Besides, the word "alien" in clause 2 has been defined so as to exclude the British Indian subjects or subjects of other Indian States as it was considered that technically such persons may be regarded alien with respect to a particular State, while there was no justification for forbidding such loan transactions with the persons falling under this category.

I may be permitted to add that we on the Standing Committee advocated that there should be no restrictions on public loans being issued by the States, since the Government of India is not likely to be affected by such loans, and that loan transactions should be determined by the free interplay of economic forces. But after a very careful consideration of all important issues involved, the summary now presented to Your Highnesses was considered a fair and reasonable one. We, however, made it clear that any tentative decision arrived at in this behalf should not be prejudiced by any situation which might arise on the point as a result of the Butler Committee Report.

I should, before resuming my seat, make it clear that the summary is presented to Your Highnesses for discussion, and not for the purpose, at the present stage, of recording your opinion upon it by a definite vote.

His Highness the Raja of Narsingarh: Your Excellency; Your Highnesses: I beg to second the motion.

His Excellency the Viceroy: I do not think it is necessary for me to add anything to what has been said, and what appears on the face of the summary. The solution there reached seems on the whole to represent a fair adjustment of different interests and I would only make one comment, and that also of a personal character, upon the piece of business before us. That is that I observe it has taken exactly 10 years to settle this question. It first appears to have been laid before Your Highnesses in 1920. It is very satisfactory to see that, although slowly, matters do reach a solution. As His Highness the Chancellor has remarked, the matter has already been before the Chamber and is only put forward again for an expression of further views, if any.

Agendum No. 13.

Resolution by His Highness the Maharaja of Kapurthala regarding the leadership of the Indian Delegation to the League of Nations.

His Highness the Maharaja of Kapurthala: Your Excellency; Your Highnesses: I rise to move the resolution that stands in my name:—

"That this Chamber recommends to His Excellency the Viceroy that he be pleased to take steps to secure that an Indian Ruling Prince should lead the Indian delegation to the Assembly of the League of Nations at least once in a cycle of three years."

Your Highnesses are aware that ever since the League of Nations has come into existence the Indian delegation has invariably included a member of our Order. It is a matter of profound satisfaction to us that the contribution it has been the good fortune of those of us who have formed part of the annual delegations to make towards the work of the League

Assembly has evoked the appreciation of His Majesty's Government and His Excellency the Viceroy. Last year the nomination of an Indian as leader of the Indian delegation to Geneva marked a new and a very gratifying departure. It was indeed a source of great pleasure to me to co-operate with Sir Mohammad Habibullah who enjoyed the distinction of being the first Indian to head the delegation. But I am sure the members of this Chamber unanimously feel that the time is ripe for establishing a convention by which an Indian Ruling Prince may be selected as leader of the Indian delegation as frequently as possible, at least once in three years if not more. Such a selection would at once be a public recognition of the importance of the position of our Order in the polity of the Indian Empire and a tribute to the success achieved by its representatives at international gatherings in the past. I am convinced that our Order cannot have a more staunch friend and well-wisher than Your Excellency and am confident that the request embodied in my resolution will receive Your Excellency's favourable consideration and cordial endorsement.

His Highness the Maharaja of Alwar: Your Excellency; Your Highnesses: As I rise to cordially support the Resolution moved by His Highness of Kapurthala, I find that the splendid manner in which the business of the day has been conducted today and the expedition with which it is now very soon expected to be terminated, I have a whole hour, for my own oration on the subject. But I hope to be able to disappoint you to some extent at least. So far as His Highness' Resolution is concerned, what has been laid down is that at least once in three years a Prince who annually represents their Order at the League of Nations should lead the delegation. Under existing circumstances there is one delegate appointed from England, one is selected or nominated from British India, and there is one selected or nominated from the Indian States, so that so long as this arrangement stands it has been proposed that the turn, if it is to go in that order, should come once in the normal course of time to the Indian States being represented by a Prince. This matter has been placed before the Chamber and its President on previous occasions also and has been warmly supported and presented before the Chair for its consideration. We are glad that on the first occasion when the delegation was to be led from India we cordially agreed to a Member from British India leading it and a Member of our Order going with him to give all assistance. We, therefore, sincerely hope and expect that when the time and turn comes for one of the Indian Princes to lead the delegation at the League of Nations he will be equally cordially accepted, and will be assisted by the same spirit as has been shown practically by His Highness of Kapurthala when he went in the last delegation. His Highness has made a very interesting statement in connection with his work at the League of Nations. I hope I am not out of order nor too late in saying just a few words congratulating His Highness on the splendid work he did and the example he has set in going with this delegation, led by a British Indian. The example will, I hope, be reciprocated when the time comes for an Indian Prince to lead the delegation. I cordially support His Highness' Resolution and hope that Your Excellency and His Majesty's Government will give the question due consideration, for we are only asking that in the natural course of events our turn should not be forgotten. With these

words, and I hope some disappointment to Your Highnesses, that I have not utilised the remainder of the time left. I cordially support His Highness of Kapurthala's Resolution.

His Excellency the Viceroy: Your Highnesses: I have listened with much interest to what Your Highnesses have said on this important topic and I am very glad to have had an opportunity of receiving the benefit of your views that have been thus put forward. Your Highnesses will recall the fact that the question of the leadership of the Indian delegation was, I think, first raised in the Council of State in 1926, when the late Mr. Das, then a Member of Council, made a statement on the subject; and again in March 1928 a Resolution was moved in that House recommending that the delegation should be predominantly Indian in composition and should be led also by an Indian. The Government's spokesman, in replying on that occasion, while expressing sympathy with the motion, indicated that the Government of India must be free to select anybody whom they at any time consider most suitable for the particular purpose in hand, and that they could not bind themselves by any promise that the leader should invariably be an Indian. At the same time he explained that it would be their earnest endeavour to secure that the services of an Indian be available who might worthily discharge the responsibilities of his selection, and he went on to make it clear that at subsequent years the Government would retain and exercise their full discretion to entrust the leadership as might seem to them most appropriate, either to an Indian or to an Englishman, or possibly to a Ruling Prince, though the last alternative, it was pointed out at the time, would raise some questions that would require careful consideration. I am not able to say anything more than that I shall communicate Your Highnesses' views to the Secretary of State, and give them myself the fullest consideration. I am sure Your Highnesses will understand that whatever might be possible would be done in the way of inviting one of Your Highnesses' Order at any particular time to lead the delegation. It would be difficult, until all the constitutional issues now under consideration have been finally decided, for the British Government to give its assent to any mathematical formula about the right of the Indian Princes to lead the Indian delegation. That obviously raises large constitutional issues for which perhaps the time is not quite ripe. Therefore I will excuse myself from saying more than this—that what has fallen from Your Highnesses' lips, represents, as I know it, a strong feeling among the general body of your Order and will receive full consideration both from myself and also from the Secretary of State.

It is now my duty to put the Maharaja of Kapurthala's Resolution to the vote. It has been proposed and seconded. I will now ask you to signify your assent.

(The Resolution was carried unanimously.)

His Excellency the Viceroy: That appears to conclude our business for the day, unless His Highness the Chancellor wants to dispose of any other business.

We adjourn now, and I would suggest meeting tomorrow morning at 11 O'clock for the elections of the Chancellor and of the Standing Committee.

PROCEEDINGS OF THE THIRD DAY (MORNING).

February 27th, 1930.

The following Ruling Princes and Chiefs were present:—

Baroda.

His Highness the Maharaja of Baroda.

Kashmir.

His Highness the Maharaja of Kashmir.

Central India.

The Rao of Aliput.

His Highness the Nawab of Bhopal.

His Highness the Maharaja of Charkhari.

His Highness the Maharaja of Datia.

His Highness the Maharaja of Dewas
(Senior Branch).

His Highness the Raja of Jhabua.

His Highness the Raja of Narsingarh.

His Highness the Maharaja of Panna.

His Highness the Maharaja of Rewa.

Rajputana.

His Highness the Maharaja of Alwar.

His Highness the Maharaja of Bikaner.

His Highness the Maharaj-Rana of
Dholpur.

His Highness the Maharawal of Dungar-
pur.

His Highness the Maharaja of
Kishengarh.

His Highness the Maharaja of Kotah.

Punjab States.

His Highness the Nawab of Bahawalpur.

His Highness the Raja of Chamba.

His Highness the Maharaja of
Kapurthala.

His Highness the Nawab of Malerkotla.

His Highness the Raja of Mandi.

His Highness the Maharaja of Patiala.

His Highness the Maharaja of Sirmur.

His Highness the Raja of Suket.

Western India States.

His Highness the Maharaja of
Nawanagar.

His Highness the Maharaja of
Porbandar.

His Highness the Raj Saheb of
Wankaner.

Bombay.

The Nawab of Balasinor.

The Raja of Bansda.

The Pant Sachiv of Bhore.

The Maharana of Danta.

The Chief of Jamkhadi.

His Highness the Mir of Khairpur.

His Highness the Maharaja of
Kolhapur.

The Raja of Lunawada.

His Highness the Maharaja of Rajpipla.

His Highness the Chief of Sangli.

Bihar and Orissa.

The Raja of Baudh.

The Raja of Talcher.

Punjab.

The Raja of Baghat.

The Raja of Kalsia.

United Provinces.

His Highness the Raja of Tehri (Garhwal).

Sikkim.

His Highness the Maharaja of Sikkim.

His Excellency the Viceroy: Your Highnesses, before we proceed to the election, His Highness the Chancellor has communicated to me that he has an important matter to place before the Chamber.

His Highness the Maharaja of Patiala: Your Excellency; Your Highnesses: With Your Excellency's permission, I would like before to-day's proceedings start, to read a communication the contents of which I feel sure everyone in this House would regard as a most welcome development. His Exalted Highness the Nizam has telegraphed to me as follows:—

"I am glad to announce that I have sanctioned one lakh of rupees to Chamber of Princes' funds for preparation of case regarding economic and fiscal relations of Indian States with British India and one lakh of rupees towards meeting contingent and travelling expenses of Chamber Offices and representatives when attending forthcoming Round Table Conference in London and special annual contribution of rupees fifty thousand from 1930 to 1935 inclusive for the general Budget of Chamber of Princes. You as Chancellor may announce the little help I have been able to give to the Chamber."

I am sure all my brother Princes would be delighted to know that our senior-most brother has appreciated the work which has been done by this Chamber in the past.

I am also sure that I am voicing their feelings, when I say that we are deeply grateful to His Exalted Highness for his generous assistance. He has, by his munificent donation to our fund, given proof of the fact that he is in sympathy with us in our aim to secure the recognition of the rights and interests of the States and their rightful position.

Agendum No. 14 (i).

Election of the Chancellor.

His Excellency the Viceroy: The next business I see is to proceed with the election of the Chancellor. Before doing that I have to announce that the following have declared their desire not to stand for the office of the Chancellor:—

His Highness the Nawab of Bhopal.

His Highness the Maharaja of Bikaner.

His Highness the Maharaja Jam Saheb of Nawanagar.

I would ask that it might perhaps facilitate the conduct of the election of Your Highnesses if you permit Sir Charles Watson to make one or two observations as to the method of its conduct.

The Hon'ble Sir Charles Watson: Your Highnesses, there are three points about which there has been a certain amount of uncertainty in connection with elections. The first to which I would draw your attention relates to the voting for the post of Chancellor, and what I say with regard to the post of Chancellor applies equally to the post of Pro-Chancellor. The second refers to the membership of the Standing Committee, and the

third to the additional panel of substitute members who will be elected. Only permanent Members of the Chamber in their own right are eligible and Representative Members are not eligible for election to any of these offices. In voting for the post of Chancellor and Pro-Chancellor, only one name is required on the voting paper. In voting for the Standing Committee only 5 names will be required, since there is now also a Pro-Chancellor, but 6 names will be required in voting for the Substitute Members of the Standing Committee. Finally no signature is required on any of the voting papers.

(The election was conducted.)

The Hon'ble Sir Charles Watson: Your Highnesses: the following are the results for the election of Chancellor:—

His Highness the Maharaja of Patiala		25 votes.
His Highness the Maharaja of Kashmir		14 votes.
His Highness the Maharaja of Alwar		2 votes.

His Highness the Maharaja of Patiala: With Your Excellency's permission I beg to thank Their Highnesses for having elected me their Chancellor for the fifth year, and the trust they have reposed in me by so doing. I beg to assure Their Highnesses that I will do as I have done in the past my best to justify the selection.

Agendum No. 14 (H).

Election of the Pro-Chancellor.

His Excellency the Viceroy: Before proceeding to the election of Pro-Chancellor I should announce that the following have declared their desire not to stand for the office of Pro-Chancellor:—

- His Highness the Maharaja of Bikaner.
- His Highness the Maharaja Jam Saheb of Nawanagar.
- His Highness the Maharaja of Patiala.

I should add that His Highness the Nawab of Bhopal has just made the same intimation.

(The election was conducted.)

The Hon'ble Sir Charles Watson: The results of the voting are as follows:—

His Highness the Maharaja of Kashmir		27 votes.
His Highness the Maharao of Cutch		8 votes.
His Highness the Maharaja of Alwar		5 votes.
His Highness the Maharaj-Rana of Dholpur		1 vote.

Agendum No. 14 (iii).

Election of the Standing Committee.

His Excellency the Viceroy: Your Highnesses will recall that you have to vote for 5 members.

I am asked to announce that His Highness the Maharaja of Kapurthala does not intend to stand for election to the Standing Committee.

(The elections were conducted.)

The Hon'ble Sir Charles Watson: The results of the election to the Standing Committee are as follows:—

His Highness the Nawab of Bhopal	39 votes.
His Highness the Maharaja Jam Sahib of Nawanagar	38 votes.
His Highness the Maharaja of Alwar	35 votes.
His Highness the Maharaja of Bikaner	28 votes.
His Highness the Maharaj-Rana of Dholpur	17 votes.

Others in the voting were:—

His Highness the Maharao of Cutch	11 votes.
His Highness the Maharaja of Rewa	10 votes.
His Highness the Chief of Sangli	} 6 votes each.
His Highness the Maharaja of Dewas (Senior Branch)	
His Highness the Nawab of Bahawalpur	3 votes.
His Highness the Maharaja of Panna	} 2 votes each.
His Highness the Maharaja of Jodhpur	
His Highness the Raja of Suket	} 1 vote each.
His Highness the Nawab of Maler Kotla	
His Highness the Raja of Sitamau	
His Highness the Nawab of Palanpur	
His Highness the Maharaja Rana Sahib of Porbandar	

Agendum No. 14 (iv).

Election of Substitute Members of the Standing Committee.

His Excellency the Viceroy: Your Highnesses will have to vote for 6 Substitute Members of the Standing Committee.

I have been asked to announce that His Highness the Maharaja of Kapurthala does not wish to stand for this.

(The elections were conducted.)

The Hon'ble Sir Charles Watson: The results of the voting are as follows:—

His Highness the Chief of Sangli	25 votes.
His Highness the Maharaja of Jodhpur	24 votes.
His Highness the Maharaja of Rewa	24 votes.
His Highness the Maharaja of Panna	22 votes.
His Highness the Raja of Sitamau	21 votes.
His Highness the Raj Saheb of Wankaner	20 votes.

The voting for the other candidates is as follows:—

His Highness the Nawab of Palanpur	14 votes.
His Highness the Maharaja of Rajpipla	13 votes.
His Highness the Maharaja Ranā Saheb of Porbandar	11 votes.
His Highness the Raja of Mandi	11 votes.
His Highness the Maharaja of Dewas (Senior Branch)	9 votes.
His Highness the Nawab of Bahawalpur	7 votes.
His Highness the Maharawal of Dungarpur	6 votes.
His Highness the Sar Desai of Sawantwadi	5 votes.
His Highness the Nawab of Maler Kotla	4 votes.
His Highness the Mir of Khairpur	3 votes.
His Highness the Maharaja of Dewas (Junior Branch)	3 votes.
His Highness the Raja of Suket	3 votes.
His Highness the Maharaja of Kapurthala	3 votes.
His Highness the Maharao of Cutch	3 votes.

Two votes were cast for each of the following:—

The Raja of Bunsda.

His Highness the Raja of Tehri (Garhwal).

His Highness the Maharaja of Kishengarh.

The proposal to hold a Round Table Conference in London of all the interests concerned in the settlement of the Indian question affects us profoundly. We are indeed glad that Your Excellency and His Majesty's Government have recognised the vital importance of the views of the Indian States being represented at that Conference. We in this Chamber shall be glad on our part to co-operate fully, with a view to bring the deliberations of the Conference to a successful conclusion. We only ask for one thing and that is the third part of my Resolution.

It requests Your Excellency that you may be pleased to provide an opportunity for discussion between His Majesty's Government and the representatives of the Princes in regard to proposals affecting the States which might emerge from the Round Table Conference or from the recommendations of the Indian States Committee's Report. The necessity for such a procedure is obvious. The Conference, which we are so happy will take place, will deal with questions affecting the Government of the entire Indian Empire. It will not deal exclusively with British India but with the whole field of political supremacy exercised either as direct sovereignty or as paramountcy, by Great Britain in India. The proposals that will emerge from the deliberations of that conference will naturally and inevitably affect the Indian States. With the alteration of the structure of the Government of India, the political relationship in which we stand may also be insensibly but gravely affected. It may be that such changes as are proposed by the conference may be acceptable to us, It may also be that against some of the proposals we may have valid objections to urge. This Resolution only asks that in view of the special relationship in which we stand we should be given an opportunity to place our views before His Majesty's Government.

Both policy and equity require that such an opportunity should be given to us. The presence of delegates from British India at the subsequent deliberations of the Joint Parliamentary Committee has been promised to British India, and we only ask that at least the same consideration should be shown to us. The relationship of Indian States with the Crown is essentially one that cannot be changed without the consent of both the parties. We have no objection to such changes as may lead to the well-being of our mother country, but we naturally desire that we should be given an opportunity of expressing our views frankly in the highest quarters before an irrevocable decision is taken. I shall not talk about the wisdom of such a course. That should be plain to all, but equity demands that our position which is guaranteed by treaties and agreements should not again be altered, in any respect, without our being given an opportunity at every stage to express our views. We have experience of the effect upon our position of the issue of the Declaration of 1917, which led to the Government of India Act of 1919, and of the consequences that followed.

I am sure Your Excellency will see the reasonableness of this point of view, and will support us in our claim to be provided with an opportunity for consultation at all stages.

His Highness the Maharaja of Bikaner: Your Excellency; Your Highnesses: I rise to second this Resolution, and I would just like to say one word formally and whole-heartedly to second the Resolution regarding Your Excellency's announcement—a momentous and important one and,

The proposal to hold a Round Table Conference in London of all the interests concerned in the settlement of the Indian question affects us profoundly. We are indeed glad that Your Excellency and His Majesty's Government have recognised the vital importance of the views of the Indian States being represented at that Conference. We in this Chamber shall be glad on our part to co-operate fully, with a view to bring the deliberations of the Conference to a successful conclusion. We only ask for one thing and that is the third part of my Resolution.

It requests Your Excellency that you may be pleased to provide an opportunity for discussion between His Majesty's Government and the representatives of the Princes in regard to proposals affecting the States which might emerge from the Round Table Conference or from the recommendations of the Indian States Committee's Report. The necessity for such a procedure is obvious. The Conference, which we are so happy will take place, will deal with questions affecting the Government of the entire Indian Empire. It will not deal exclusively with British India but with the whole field of political supremacy exercised either as direct sovereignty or as paramountcy, by Great Britain in India. The proposals that will emerge from the deliberations of that conference will naturally and inevitably affect the Indian States. With the alteration of the structure of the Government of India, the political relationship in which we stand may also be insensibly but gravely affected. It may be that such changes as are proposed by the conference may be acceptable to us, It may also be that against some of the proposals we may have valid objections to urge. This Resolution only asks that in view of the special relationship in which we stand we should be given an opportunity to place our views before His Majesty's Government.

Both policy and equity require that such an opportunity should be given to us. The presence of delegates from British India at the subsequent deliberations of the Joint Parliamentary Committee has been promised to British India, and we only ask that at least the same consideration should be shown to us. The relationship of Indian States with the Crown is essentially one that cannot be changed without the consent of both the parties. We have no objection to such changes as may lead to the well-being of our mother country, but we naturally desire that we should be given an opportunity of expressing our views frankly in the highest quarters before an irrevocable decision is taken. I shall not talk about the wisdom of such a course. That should be plain to all, but equity demands that our position which is guaranteed by treaties and agreements should not again be altered, in any respect, without our being given an opportunity at every stage to express our views. We have experience of the effect upon our position of the issue of the Declaration of 1917, which led to the Government of India Act of 1919, and of the consequences that followed.

I am sure Your Excellency will see the reasonableness of this point of view, and will support us in our claim to be provided with an opportunity for consultation at all stages.

His Highness the Maharaja of Bikaner: Your Excellency; Your Highnesses: I rise to second this Resolution, and I would just like to say one word formally and whole-heartedly to second the Resolution regarding Your Excellency's announcement—a momentous and important one and,

with all respect add, most timely, statesmanlike and welcome announcement. Immediately afterwards I had occasion on the 2nd November last, in the course of an interview to the Press, to express my views in support of the Statement regarding the proposed conference in England and the clarification of the policy of the Imperial Government regarding Dominion Status for India, and I therefore do not think it justifiable on my part to take up the time of this House by reiterating all that I said on that occasion.

His Highness the Nawab of Maler Kotla: Your Excellency; Your Highnesses: The momentous announcement which Your Excellency made on the 31st October 1929 regarding the underlying purpose of British policy towards India's Constitutional advance was welcomed by all the Ruling Princes as well as by all right-minded men of British India with great enthusiasm. I am sure, by accepting the Resolution moved by His Highness the Chancellor in such eloquent terms, the Chamber will give collective expression to what the Princes have already said individually. The proposed Round Table Conference would afford an excellent opportunity to the Representatives of British India and Indian States to meet His Majesty's Government, discuss British Indian and all-Indian problems, and frame proposals which would command a wide measure of general assent. As to the representatives of the Indian States, I wish to say that Princes of all grades should be adequately represented on the Conference in order to make the representation of the order thorough and effective.

The principle underlying the request made in this Resolution is not one to which any objection could be taken. We simply ask that we should be given an opportunity to express our views at all stages regarding the future constitution of India which may directly or indirectly affect our interests. This claim is not unreasonable and it is not based on any desire to offer resistance to reasonable proposals for the benefit of British India. We wish to safeguard our interests and we would be grateful if Your Excellency would kindly support us in our claim. With these words I compound this resolution to Your Highnesses' acceptance.

His Highness the Maharaja of Dewas (Senior Branch): Your Excellency: I feel great pleasure in rising to support this Resolution. The Chamber has already listened to the weighty speeches which have been delivered on the subject by the previous speakers. I only desire to add my humble voice to the chorus of welcome that has greeted Your Excellency's announcement.

That the policy which that momentous declaration embodied was wise, has been proved by events. There has been a striking change in the attitude of all except the most irresponsible elements in the country in favour of a policy of moderation, such as India had not witnessed for many decades now. It has been well said that trust begets trust, and Your Excellency by your generous efforts in the cause of Indian progress has proved once again the truth of this maxim.

The Princes have made no secret of their satisfaction at the proposal to call a Round Table Conference to discuss the whole problem of India's future. We are deeply thankful to His Majesty's Government and to Your Excellency for the recognition of the right of the States to be consulted in matters affecting them. The Round Table Conference, we

understand from the pronouncements made in connection with it, will discuss not merely the measures of reforms in British India but also the methods of closer co-operation between the two parts of greater India and the conduct of political relations between the States and the paramount power. These are questions that affect us vitally, and we are glad that they are to form the subject of discussion between His Majesty's Government and the representatives of Princes. I do hope that the outcome will be satisfactory to both parties. With good will, sympathy and moderation on both sides, there is no fear that the outcome would not be satisfactory. In any case the Princes of India have reason to be grateful to Your Excellency for recognising the importance of their case and suggesting its discussion at a joint conference.

His Highness the Chief of Sangli: Your Excellency; Your Highnesses: I esteem it a high honour and privilege to associate myself whole-heartedly with the tribute of admiration and gratitude which Their Highnesses who have preceded me on this resolution have paid to Your Excellency. The announcement has been fitly described not merely as a historic one but also an epoch-making one, may I say, for the world. For the first time in the history of this ancient land will the various interests thereof—representatives of the interests and parties in British India and Rulers of Indian States—meet His Majesty's Government—the Government of the largest Empire in the world—in London to reach the greatest common measure of agreement regarding the future political fabric of India. This is a unique opportunity which this country with its hoary civilisation has been given to evolve for itself a constitution which will enable it to contribute its quota to the progress of humanity to a larger extent than for thousands of years in the past. In securing the Round Table Conference Your Excellency has rendered an unparalleled service not only to India but also to the Empire. The vision, the sagacity and the sympathy which Your Excellency has manifested in this achievement entitle Your Excellency to a distinguished place among the statesmen who have contributed to the making of modern India. The Princes big and small alike are proud to have received an opportunity to participate in the glorious task of moulding the future of their motherland, and it is to be hoped that the good sense of the rest of India will not throw away the inestimable advantage which the Round Table Conference places in their hands. Both the Indias—British and Indian—owe a profound debt of gratitude to Your Excellency for the splendid chance which Your Excellency has obtained for them of laying the foundation of future India.

I hope Your Excellency will be pleased to recognise the necessity of allowing the Princes the opportunities they seek for consultation with His Majesty's Government, as the deliberations regarding all-India matters take their final shape as a result of the Round Table Conference and of the work of the Joint Select Committee of both Houses of Parliament. In your Chelmsford Club speech Your Excellency has already stressed the importance and necessity of carrying the Indian Rulers with their free assent on every ground of policy and equity in the solution of their problem. The opportunities which the resolution asks for will promote a happy and honourable settlement between the two Indias, and I hope, Your Excellency will be pleased to help us in securing them. With these words I support the resolution.

The Pant Sachiv of Bhor: Your Excellency; Your Highnesses: It is with great pleasure that I stand to support the Resolution moved by His Highness the worthy Chancellor and ably discussed by so many worthy brother Princes. Although I am aware that nothing has been left for me to add to what they have already said in support of it, still, looking to the importance of the occasion and gravity and far-reaching effect of the Resolution, I think it my duty to give my support to the resolution, which I am doing very heartily.

The announcement of Your Excellency was indeed timely and epoch-making in the political history of India. It evinces high statesmanship, genuine sympathy for the legitimate aspirations of the people of India, and strong sense of duty in discharging the mission fallen upon Your Excellency by providential dispensation, and for the efforts in securing the noble object, I am sure Your Excellency's name will certainly go down to posterity of Princes and people alike in this country as one of the greatest and noblest of the Viceroy's of India.

We are all aware that some few years before the announcement, the political atmosphere of India was surcharged with misunderstanding and mistrust owing to the misinterpretation of the famous declaration of 1917, but the misinterpretation was removed, as it were by a magic wand, just immediately after the announcement of Your Excellency in the month of October last. It has cleared away the clouds of suspicion as regards the aims and objects of the British Government and established to a large extent a better understanding between the Ruler and the ruled. It is now for the first time definitely declared in clear and unambiguous terms that Dominion Status within the Empire is to be India's final goal, and it has now become in Sir Sankaran Nair's words "as Sacrosanct and not to be interfered with in any way by the British Government".

The importance of the announcement lies in another point also. It has created a very suitable machinery in the form of the proposed Round Table Conference which was so very eagerly demanded long ago by the prominent leaders in British India. It will give an opportunity to the Princes and leaders of all shades of opinion in British India to confer together and give the benefit of their joint deliberations to the proper authorities of His Majesty's Government, to frame the scheme of the future constitution of responsible Government of India. As regards the importance of the announcement, Sir Mahomad Habibullah says: "This announcement constituted a recognition of India's right to assist His Majesty's Government in determining the system of Government under which she should live hereafter".

Dominion Status within the Empire is the only goal acceptable to the Indian States as well as to all the sane leaders of British India. It is not only beneficial but decidedly profitable as compared with the Congress ideal of complete independence, which is fraught with danger and anarchy. The States are indissolubly associated with the British Crown by ties of treaty obligations, loyalty, fidelity and friendship; and hence this Chamber had denounced the ideal of complete independence last year, and I take this opportunity to reiterate the same attitude of our order in emphatic terms once again. In the same tone I would once more like to say that the States cannot be expected to agree to any proposals that will directly or indirectly violate their treaties or infringe their sovereign rights and internal autonomy and independence.

As true Indian patriots we shall be lacking in our duty if we do not appreciate and sympathise in a broad-minded way with those Indians working to achieve their national aspirations of Dominion status on reasonable and constitutional lines. Equally we shall be failing in our duty and shirking our responsibility as true and faithful allies of the British Government if we do not emphatically express our bitter condemnation of the goal and policy outlined by the Indian National Congress at Lahore and subsequently advocated by other congress leaders. The threatened campaign of civil disobedience and non-payment of taxes must similarly be deprecated, as it is sure to lead the country to anarchy and utter confusion.

It is therefore in the fitness of things that this resolution is very appropriate and opportune at this critical juncture and so I have great pleasure to lend my whole-hearted support to the same.

His Excellency the Viceroy: Your Highnesses: It is naturally gratifying to me to find that this Chamber is prepared to set the seal of its approval upon the announcement on behalf of His Majesty's Government which it was my duty recently to make. I have no doubt that Your Highnesses share the view that has always been my own, that the logic of events is gradually bringing us all very close to the consideration of very large problems, and that, in regard to some of these problems at least, it is possible that differences in points of view may reveal themselves, not I hope fundamental differences, but differences perhaps of methods of approach and so on. My own view has always been that, as and when we reach that stage, there was no need to feel unduly disturbed about the prospects of a successful issue, provided that all those concerned were willing with a reasonable spirit to sit down and discuss the real difficulties with a view to reaching solutions with regard to all interests which have to be met. It was from that point of view that I for a long time have thought that the right solution of some of the difficulties with which you and I are immediately confronted was by this way of conference. It is also quite clear to any one who has given the briefest or the most superficial study to the all-India character of our present problems, that no one of them can ultimately be satisfactorily solved unless it is solved in harmony and in conjunction with those States which are more particularly affected. It is not necessary for me to develop that to Your Highnesses, but it is well that the public should appreciate that there are very few problems to-day in which British India is interested that can be treated, as it were, in a vacuum without having reactions and impacts upon the problems of the States; and it is for that reason, the widest possible reason, that I am sure that the policy of associating Your Highnesses at the outset in these deliberations is not only wise, but necessary. Your Highnesses have voiced the opinion of your Order, which has been generally supported, that the views of the States' representatives at the forthcoming conference should be accorded equal consideration with the views of those who represent British India. I need hardly give you on behalf of His Majesty's Government an assurance that it will be so. (Hear, hear.) I have already on other occasions defined on behalf of His Majesty's Government what I anticipate will be the general purpose of the conference, and I have no doubt that the opinions of the representatives of the States will there receive the consideration that they deserve, and that that will be commensurate with the importance of the place that the States hold, and will hold, in the general fabric of the body politic of India.

With regard to the third and last portion of the resolution moved by His Highness the Chancellor, I would remind Your Highnesses that in the original communication from Sir John Simon to the Prime Minister, (though I have not got it now before me, the terms are in my recollection), I think he suggested, and it was accepted by the Prime Minister, that the conference should include representatives from British India and representatives from the States to meet His Majesty's Government separately or together as necessities might suggest, and therefore I anticipate that His Majesty's Government in accepting that proposal must no doubt have had present in their mind the possible desirability of separate consultation of the kind adumbrated in the third paragraph of your resolution. So far as I am concerned, it is not possible for me to add anything to that statement, but I shall transmit to His Majesty's Government the expression of your views, that is, if it finds acceptance by the Chamber this morning, and place them in possession of the reasons that have led Your Highnesses to favour it.

I now invite Your Highnesses to vote on the Resolution which has been read by His Highness the Chancellor and which I think you have before you. Those in favour please signify the same.

(The Resolution was carried unanimously.)

I think perhaps now it would suit Your Highnesses' convenience if we adjourn, and resume this afternoon for the consideration of the Resolution on Sir Harcourt Butler Committee's Report; and I will suggest that we should resume at 3 P.M. if this will be convenient,—having in prospect adjourning about 4-30 if this will be convenient.

(The Chamber adjourned for luncheon.)

PROCEEDINGS OF THE THIRD DAY (AFTERNOON).

February 27th, 1930.

Agendum No. 11 (General).

Resolution by His Highness the Maharaja of Patiala regarding the appointment of the Indian States Committee.

His Highness the Maharaja of Patiala: Your Excellency; Your Highnesses: A formal resolution has recorded this Chamber's appreciation of the assistance rendered to the Indian Princes in connection with the appointment of the Indian States Committee. Nevertheless I feel it a duty separately to express the deep obligation of the members of our Order towards Your Excellency for the unfailing sympathy shown by you in obtaining recognition to our undeniable rights and our undoubted interests.

Sir, we are all much indebted to you personally and we should still feel the same indebtedness even if we had not reason to be gratified that on many important questions the Committee have found themselves able to agree with our contentions. I have no doubt that each of Your Highnesses has read the Committee's report with the care it merits and has fully comprehended its recommendations, and the implications of those recommendations.

While there are several questions of fundamental character which the Committee have found in our favour, I am yet constrained to say that on many points vitally affecting the rights and obligations of the States the views expressed in the report are not such as could possibly commend themselves to the Princes. I shall not attempt a detailed discussion of the various questions, as undoubtedly they will be dealt with by Your Highnesses in speaking on different resolutions that must be moved in the course of the next few days. But there are one or two matters of a general character which I desire to bring to the notice of Your Excellency and of Your Highnesses on account of their great importance to our Order.

The main question with which the Committee deal and which, I may say, dominates their whole report is that of Paramountcy. They have stated that from the beginning of the 19th century "the British became the *de facto* sole and unquestionable power in India". Most of their conclusions and inferences flow from this proposition, which is again emphasised in the statement that the "Paramountcy of the Crown has been acted on and acquiesced in over a long period of time". The statement that the Crown was from the beginning of the 19th century the *de facto* and unquestionable Paramount Power in India exercising suzerain rights over Indian States in alliance with the British Government seems to be historically inaccurate. In fact during the whole period of the Company's Government in India, successive Governors-General in India most emphatically repudiated any such claim. In 1822, the Marquis of Hastings' Government disposed of this claim of Paramountcy in the following words:—

"The assumption of our possessing a universal supremacy in India involving such rights as you have described is a mistake".

So late as 1851 Lord Dalhousie's Government solemnly expressed their disapproval of any claim to rights of intervention based on Paramountcy. There are numerous official and authoritative pronouncements of the Government of India during the first half of the 19th century which clearly

demonstrate that no claim to any rights in disregard of the Treaties of States and based on the superior position of the British Government was held by the Government of India themselves to be admissible. It is therefore surprising that the Indian States Committee should have based their opinion on instances of intervention which clearly disregarded obligations laid by treaty upon the British Government, and which are definitely admitted by successive Governors-General, up to the time of the Mutiny, to have been incompatible with such obligations. In fact the very case of intervention in Hyderabad in 1804, which the Committee quote, was described in 1822 by the Governor-General in Council as an unauthorised usurpation of authority. Besides, in the early days of the 19th century there were many States which were acknowledged to be completely independent of the British Government.

The Committee claim that as a result of Paramountcy, which of necessity leads the British Government to take decisions and exercise authority beyond the terms of treaty, the Government of India have the right to intervene in the internal affairs of the States, even when the provisions in the treaty preclude them from doing so. The Committee try to uphold this claim by reference to the views, which the Government of India have expressed in the Baroda and Manipur cases, and in the letter, which Lord Reading wrote to His Exalted Highness the Nizam in 1926. I do not think the Committee fully realised the effect or the implications of quoting the Government of India's own view in support of a position which the Princes have always contested, whenever the Government of India advanced it. If, in the opinion of the Committee, the position of Indian States, which is guaranteed to them by solemn treaties and engagements, can be altered by the occasional pronouncements of the Government of India, then, it seems to me, the Committee have gone further than even the most ardent champion of the Political Department.

The Committee state that intervention cannot form the subject of any rules or procedure and the decision to intervene must be left to the Viceroy. The full import of this statement becomes clear only if it is read with the statement contained in paragraph 50 of the Report, *viz.*, that in the event of a widespread popular demand for a change in the form of government, *e.g.*, a demand for complete responsible government, not due to the misgovernment of the Ruler, the Paramount Power has the right to suggest such measures as would satisfy this demand without eliminating the Prince. Thus the Committee have claimed for the Government of India the right of intervention in the States not merely on the ground of gross misgovernment but also on the ground that they might deem it expedient to suggest changes in the form of government immemorially established in the States and they have added that the intervention can be exercised at the discretion of the Viceroy. This extraordinary dictum runs so contrary to the inalienable right of the Princes that I feel, as no doubt Your Highnesses also feel, that if we do not strongly repudiate it, it may undermine, and in course of time destroy, the whole fabric of the policy of our States. The obligation of the British Government to maintain unimpaired the privileges, rights and dignities of the Princes involves, as the Committee themselves acknowledge, the duty to protect the Princes against popular agitation, if such agitation is not due to misgovernment. How this obligation can give the Government of India the right to advise the Princes to change their hereditary and traditional forms of government merely because there is a demand for change by a number of their subjects is a verdict which passes

my comprehension; and the volume and intensity of the assumed demand is to be judged not by the Princes themselves but by the Viceroy.

The conclusions at which the Committee have arrived in regard to the relationship which exists between the Paramount Power and the States also seem to me devoid of any intelligible basis. The Committee have agreed with our view that the treaties were made with individual States and a decision taken presumably rightly in the case of an individual State cannot be made applicable to all the States. They have also expressed agreement with our claim that questions arising in respect of individual States should be considered in the light of the treaty rights, the history, the local circumstances and traditions of those States. With these admissions of the Committee, it is most difficult to reconcile their statement that the relationship with the States does not merely rest on treaties and engagements but is shaped by Imperial necessity and the shifting circumstances of the time. The same inconsistency seems to vitiate the Committee's views on the validity of usage. The Committee have quoted with approval the pronouncement of the Government of India in 1877, which states that claims based on treaties may be extinguished and nullified by a uniform and long continued course of practice acquiesced in by the party against whom it tells. To my mind there are two points of great importance with regard to usage: first, its effect on the particular State in which a practice may have developed and been uniformly acquiesced in, secondly, the application of practice which developed in one State to all the States generally. The Committee, so far as I can see, have made no distinction between these two cases. It seems obvious that merely because a particular usage has become valid in one State, it cannot be held binding upon all other States. The Committee have themselves agreed that States must be dealt with individually according to their treaty rights and their local traditions. In the face of this, to claim validity for usages applicable generally to these States, even though deriving its origin from the special circumstances of a particular State, seems as opposed to the principles of law as to those of logic. Yet usage, if it is to modify treaty rights and is to be considered as a source of Paramountty, can only be understood in this wider sense and not as a practice which may have acquired sanction in the special circumstances of a particular State.

Moreover, the Committee have relied upon various specific instances to prove the general validity of usage. It is not clear how a variety of cases which do no more than display a clear disregard of treaties and breach of agreements can give rise to a general right or principle of treatment.

In support of their theory that the relationship which exists between the Government of India and the States is dependent among other things on the decisions of the Secretary of State and the Government of India, the Committee quote the decision of the Judicial Committee of the Privy Council in *Hem Chand and Dev Chand vs. Azam Shah Lal, Chhota Lal*. The portion relied upon by them reads as follows:—

“On the other hand there are repeated declarations of the Court of Directors and of the Secretary of State that Kathiawar is not within the ‘dominions’ of the Crown. These declarations were no mere expressions of opinion. They were rulings of those who were for the time being entitled to speak on behalf of the sovereign power, rulings intended to govern the actions of the authorities in India.”

This, to my mind, only means that the Court of Directors or their successors to the final authority in Indian affairs in England are bound by the admitted restrictions upon the rights of the Crown, therefore also the Crown's Agents in India. The quotation does not seem to be capable of the interpretation put upon it by the Committee that such declarations are binding upon the States.

The Committee have declared with emphasis that it is not in accordance with historical facts that Paramountcy gives the Crown definite rights and imposes upon it definite duties in respect of certain matters only. They consider that the Crown through its Agents should have the right of interference for the good government of India as a whole, for the good government of individual States, for the suppression of barbarous practices, for the saving of human life and for dealing with cases in which rulers have proved unfit for their position. It would seem that in their view Paramountcy is a vague and undefinable thing under cloak of which justification may be found for any action of the Government of India. Such a loose conception of Paramountcy cuts at the very root of all the rights which the Crown has in solemn promises guaranteed to us. If this view of Paramountcy be accepted, the Crown and its Agents could claim any rights they chose to assert, and the States would have no rights save those which the Crown's Agents thought fit to leave to them. In other words, this view is only a restatement, in less direct terms, of the claims put forward by Lord Curzon in his Bahawalpur speech and implies the negation of Treaties for which successive Royal Proclamations have professed scrupulous regard.

The machinery suggested by the Committee to deal in future with measures or policies affecting the rights of the States does not seem even to touch the fundamental issues raised by the Princes. The contentions of the Princes were that in the past the procedure consciously or unconsciously adopted by the Political Department, which was based on precedent and practice and established by its officers accredited to the States, had tended more and more to encroach upon the rights of the States; that, as a result of this continuing political practice, the rights of the States were in fact being systematically over-ridden; that for the sake of uniformity, to which all such practice leads the methods and principles successfully applied in one State were enforced against all others; that in cases where the view held by the Political Department clashed with that of the States there was no machinery to adjudicate upon such differences of opinion. To prove these contentions innumerable instances from nearly all the States, represented in the Chamber, were collected and placed before the Committee. But unfortunately the Committee have taken no notice of this formidably conclusive evidence, and their recommendations ignore the main contention of the Princes in regard to the system now in vogue. The report recommends that questions affecting the States should be dealt with by the Viceroy assisted by the Political Secretary; that where the Political Department and another Department of the Government of India disagree, the Viceroy may appoint an Advisory Committee composed of representatives of British India and the States and that if such joint committee disagree, more formal Committees of an advisory character should be appointed. These recommendations ignore altogether the differences that arise between the States and the Political Department, differences which are at present subject to executive decisions. The demand of the Princes that such cases should be subject to judicial decision has been entirely ignored by the Committee.

There is one further point to which I should like to draw the attention of this Chamber. The Report of the Indian States Committee contains numerous statements, some of which I have already discussed, from which we strongly disagree. I would make it clear that the findings of the Committee, unless they are agreed to by the Chamber, should not be considered as authoritative pronouncements or interpreted as political practice binding against the States.

So far as the second part of the terms of reference of the Committee is concerned, the recommendations embodied in the report are, in my view, equally based on a confusion of thought. The Committee have laid down as a matter of principle that the Paramount Power is not justified in interposing its authority to secure economic results, which are beneficial only or mainly to British India in cases where the economic interests of British India clash with those of the States. But the recognition of this obvious truth is vitiated by the statement that the Government of India are justified in interposing their authority and over-riding the interests of the States for the economic good of India as a whole. These two positions seem to be mutually irreconcilable. Hitherto the Government of India have not asserted or enforced the claim that merely because the economic interests of India demand a particular measure, the States should be made to accept it even at a sacrifice of their own interests. This makes the Committee's conclusions still more surprising.

It is unnecessary here to discuss in detail the numerous comments of the Committee on the financial and economic relations between British India and the States. The Committee have accepted our suggestion and gone beyond it by recommending that an expert body should be appointed to enquire into the claim of States for a share in the customs revenue and the adequacy of their contribution to Imperial burdens. Reasonable claims of the States under other heads are also recommended to be referred to this body. In view of this recommendation, it is difficult to see why the Committee should have given any opinion on various financial questions, which later might come up for consideration before the expert body.

I have not attempted to cover all the points raised in the report of the Committee, which seem to us to require reconsideration. I have, in this survey, tried merely to indicate my personal views on some of the outstanding recommendations made in the report, but I venture to state those views correspond with the views held generally by members of this Chamber. I now beg leave to move the resolution which reads as follows:—

“This Chamber places anew on record its appreciation of the active sympathy evinced by His Excellency the Viceroy in supporting the request of the Princes for the appointment of a Committee to enquire into their problems.”

His Highness the Maharaja of Kashmir: Your Excellency; Your Highnesses; In seconding the Resolution which has been moved by His Highness the Chancellor, I should again like to emphasise what His Highness has said as to our feeling of personal gratitude to Your Excellency. We indeed feel that we were indebted to you for the appointment of the Indian States Committee and we feel we are still further indebted to you for the possibilities, which lie open to us, of securing consideration of many matters upon which that Committee either touched inadequately or did not touch at all.

I should be lacking in candour if I were to say that, from the standpoint of the Princes and their States, the findings of the Indian States Committee satisfy the hopes which we had cherished. As Your Excellency is aware, in proposing to Your Excellency the desirability, from our point of view, of an enquiry into the position and the rights of our States, we had imagined a Committee different alike in composition and functions from that which ultimately materialised. We had hoped that round a nucleus of English Statesmen of reputation, there would be grouped representatives of the Government of India, of British India and of the Indian States, together with financial, constitutional and political experts. Such a body we believed, would have been well qualified to conduct an impartial enquiry into disputed matters, and to pronounce with full authority decisions upon them. Two feelings were uppermost in our minds. In the first place, we had become painfully conscious that what is called political practice had in the course of years whittled away rights which we believed to have been safeguarded by our treaties. In the second place, we found that our position was one of considerable uncertainty, not merely in regard to our future relations with a self-governing British India, but also in regard to our present relations with Your Excellency's Government. The discretionary element which seemed, at least to us, to play so large a part in political practice, an element which necessarily fluctuated with the personalities of those who could give it shape, filled us with a sense of insecurity.

I think that I shall not be far wrong if I say that we desire to discover whether we were right in believing that this process of erosion to which I have referred was contrary to the position guaranteed to us by the treaties. Secondly, I think we were anxious to find out precisely where we stood: precisely where our rights began and those of the Paramount Power ended, so that we might be enabled to take stock of the part which we should be called upon to play in that greater India which we see shaping itself before our eyes.

But the Committee which was appointed to consider these problems, could not, on account either of its personnel or its functions, conduct the kind of examination for which we had all hoped. In place of the authoritative and representative body which seemed to us alone adequate for the purpose which we desired, there was appointed a small Committee of experts: an eminent officer who had served for years in the Political Department, a public man who had written lucidly on International finance, and a distinguished legal historian. I am sure that I shall be accused of no disrespect to the Committee when I say that, considering alike the restrictions imposed upon its composition and upon its terms of reference, we could scarcely hope to secure from its report much more than we have actually obtained.

I do not desire to follow His Highness the Chancellor into the admirably clear and meticulous examination, to which we have all listened with such attention, of the shortcomings of the Report of the Indian States Committee as viewed from our standpoint. I will content myself by adding to his observations, certain general considerations which, I think, may serve to focus our attention upon a few vital matters. It seems to me that much of the criticism which can be levelled against the report of the Indian States Committee, results from the fact that this Committee has, by its own admission, proclaimed that it considered itself in no sense a judicial tribunal. I maintain that no Committee which did not consider itself equal to the process of judicial findings, could in any degree have satisfied the hopes and desires of the Princes. In saying this I do not mean to deny that an

important part of the field under enquiry must, in all circumstances, have been non-judicial in character; inasmuch as there would come up for consideration many matters of high policy which do not admit for their determination that combination of law and of fact upon which a justiciable issue depends. But that a Committee appointed to enquire into the relationship between the British Crown and the Indian States, should have recorded its opinion that it was not a judicial tribunal seems to me conclusive evidence that the States could not receive at its hands that kind of award which was their principal reason for asking for the enquiry at all.

Even so, there are many matters which the Committee could have dealt with more satisfactorily from our point. To take one example, our fiscal and financial claims did not require the Committee to act the part of a judicial tribunal. They could have enunciated principles as we had asked, and could then have suggested the creation of an expert body only for the application of those principles based upon sound theory and accepted doctrines.

That the Indian States Committee did not in any sense act as a judicial tribunal will be clear to Your Highnesses from the whole trend of the remarks of His Highness the Chancellor. But the point which concerns us at the moment is this; even though, by the admission of the Indian States Committee itself, the treaties and engagements concluded between the British Crown and ourselves may have been departed from on various occasions within a few years subsequent to their original ratification, the fact remains that Her Gracious Majesty Queen Victoria confirmed these treaties and engagements in 1858. I can discover no grounds for supposing that Her Majesty also confirmed such adverse political practice as may have grown up in the first half of the nineteenth century. Yet it seems that upon this same political practice the Indian States Committee relies for many of its findings and conclusions. If I may, I would like to add that subsequent to the Mutiny, during the period of confusion which followed that lamentable occurrence, the might of Great Britain was perhaps more absolute in India than at any previous period. Had Her Gracious Majesty and her Government desired either to confirm existing political practice, or even to sweep the States out of existence, who could have resisted? But did Queen Victoria do so? On the contrary, Her Majesty distinctly confirmed in her Proclamation the treaties as they stood. Moreover, these same treaties have been confirmed at regular intervals by successive pronouncements of Sovereigns, Secretaries of State and Viceroy's from the time of the Mutiny until the present day. How could it then be open for the Indian States' Committee to base so many of their findings upon the alleged fact that validity of the treaties is in reality, dependent upon political practice and even upon one-sided executive decisions of the Government of India or of the Secretary of State?

Because of the inability of the Indian States Committee to function as a judicial tribunal and to view our evidence judicially, so many passages in its report are unsatisfactory to us. No Committee which felt the need of preserving a judicial attitude could, I think, have asserted in one place the binding character of treaties and engagements, and refused in another place to admit any effective legal limitations upon the powers of paramountcy. It needs no lawyer to see that if the treaties are binding paramountcy is not unlimited. Indeed, it is just this feature of the Indian States Committee's report which is so distressing to us; for while in certain passages they appear to take what we regard as an accurate view of

our treaty position *vis-a-vis* the Paramount Power, the Government of India and British India, as, for example, when they state that our relations are with the Crown; in other passages their declarations either contradict or deprive of all meaning their previous findings.

With these words I beg to second the resolution which has been moved by His Highness the Chancellor.

His Highness the Nawab of Bhopal: Your Excellency; Your Highnesses: Needless to say I heartily associate myself with the Chamber's vote of thanks for all that Your Excellency has done for us in this matter. And, if what I am about to say about the report may seem like looking a gift horse in the mouth, it certainly does not detract from my gratitude to the donor.

As His Highness the Chancellor and Pro-Chancellor have in essence observed, the Report of the Indian States Committee is a sad disillusion to us in many of its main aspects and I imagine that it must be no less of a disappointment to the Government of India, who did their best as we did to assist the Committee in their inquiry. Nevertheless we are none the less grateful to Your Excellency for the cordial support of our wishes which brought about the appointment of the Committee.

As the report is to be discussed in detail in the next few days, I need only refer here to some of its general features. The first to strike one is the economy of discussion, if so I may call it, applied to that most vital question to us, namely, the relationship between the Paramount Power and the States. Some 49 short paragraphs, Nos. 10 to 58, are allotted to that subject and deal with it in the manner of a summary, which might be useful as a covering index to a detailed report, but as they stand are neither a reasoned presentment of the subject nor a full, accurate or logical survey of it.

As an instance of the method adopted I may refer (to begin at the beginning) to paragraph 11 which tabulates the Indian States into three classes, read with paragraph 17 which mentions that the Report only purports to deal with the first two classes (seeing that the third class "are placed differently from the larger States"), and in contrast to that I may cite the quotations from Sir Henry Maine's minute on Kathiawar which are given in paragraphs 44 and 54 as authoritative on certain aspects of the Paramount Power towards States in general, although the bulk of the Kathiawar States all belong to the third class and although the minute had special reference to them.

Next, Your Highnesses will not have failed to notice the summary manner in which the Committee have dealt with the Opinion presented to them by the Counsel whom we engaged to represent the legal and constitutional aspects of the question at issue. That Opinion which covers 16 pages of appendix III is dealt with by the Committee in their paragraphs 38 and 39 read with 58. Paragraph 38 accepts our contentions that our relationship is with the Crown, that our treaties are made with the Crown and are of continuing and binding force, and that those treaties are not to be "read as a whole", as sometimes has been held, but are to be considered individually in respect to the individual States with whom they have been made. Paragraph 58 also concedes another cardinal point claimed by us, namely, that the States should not be transferred without their own agreement to a relationship with any new government in British India. So far so good. But what of the

rest of our counsel's Opinion? It is dismissed by the Committee in paragraph 39 in the sentence "We cannot agree with certain statements and arguments that occur in this Opinion". To that sentence are added certain remarks whose accuracy I contest together with one to which I invite particular attention. It contains the following words "The novel theory of a paramountcy agreement, limited as in the legal opinion, is unsupported by evidence (and) is thoroughly undermined by the long list of grievances placed before us which admit a paramountcy extending beyond the sphere of any such agreement. These long lists, which were accumulated with so much trouble contain (to quote paragraph 7 of the Introduction to the Report) "decisions by the Paramount Power made at almost any time during the last century" and are admitted in paragraph 36 of the Report to have been adduced to shew that the States have been adversely affected by the arbitrary action of the Paramount Power, or in other words to shew that the provisions of our treaties had been overridden roughshod. Yet all that the Committee have to say on that subject is first the aforesaid remark that that fact is the strongest evidence of the existence of a Paramount Power and secondly (in paragraph 36), that the Committee had no authority "to pass judgment in such cases". In other words, Your Highnesses, if it is possible to read any logic into this portion of the Report, the argument seem to be first the States have benefitted immensely on the whole from their relationship with the Paramount Power, secondly in the course of that relationship many acts have been done by the Paramount Power which have contributed to that result, and thirdly as those acts are not covered by the treaties, they are based on an undefined right inherent in the Paramount Power. I think Your Highnesses will agree with me that that is special pleading, and that in reality all that it amounts to is the old adage that the end has justified the means, or as phrased in paragraph 35 "the process though benevolent in intention was nevertheless to some extent arbitrary".

One word more I would like Your Highnesses to compare the argument as to how our treaties have been set aside with the march of the times, with the view advanced in paragraph 96 that the States who have Salt arrangements with which they are dissatisfied can advance no claim to their revision but must remain bound by the strict letter of their engagements and treaties.

There are many other matters on which I should like to touch. But time does not allow, and I think I have said enough to shew that we have valid reasons for being dissatisfied with the manner in which our case as a whole has been handled by the Committee.

Your Excellency, I have great pleasure in associating myself with the Resolution moved by His Highness the Chancellor.

His Highness the Maharaja of Bikaner: Your Excellency; Your Highnesses: It was my privilege in the earlier part of my speech, when moving the Resolution in this Chamber on the 23rd February, 1928 regarding internal reforms in the Indian States, to tender our grateful thanks for Your Excellency's kind and sympathetic assistance in securing the appointment of the Indian States Committee; and to-day I beg to associate myself whole-heartedly with this Resolution which thanks Your Excellency once again.

I feel sure that I am echoing the sentiments not only of this Chamber, but of the Princes and States as a whole, when I beg with all respect to

state that it is indeed our good fortune and highly gratifying that there should be in India a Viceroy like Your Excellency who will deal with matters of such vital importance to the States.

The resolutions to be passed at this Session, and the debate during the next few days on—to use a shorter term—the Butler Report, are intended to give an indication of the general views and feelings of this Chamber in regard to the various important details and recommendations contained in the Butler Report.

In regard to what are considered in the States as the satisfactory features of the Butler Committee's Report, resolutions were passed at the Conference of the Princes held in Bombay last June welcoming them. As for what the States regard as unsatisfactory features—some of which cause us deep concern—it will be the hope of all, inspired by loyal and patriotic feelings for the States, that the negotiations, which we propose should be carried on, will, with Your Excellency's valuable support and sympathy, result in matters being put right and justice being done to the States, who from a variety of causes feel anxious as regards several such important matters.

After the Round Table Conference, when concrete proposals are to be framed by Your Excellency's Government and His Majesty's Government, it will indeed be an added source of satisfaction and encouragement to the States if—as I have said on a previous occasion—in the interests of the two Indians, as well as of the Empire, and with a view to launching and ensuring the success of what we hope will be a further measure of liberal constitutional advance for both British India and the States, His Majesty's Government may be successful in securing the consent of Your Excellency to stay on as our Viceroy for a further period.

This resolution also affords us an opportunity of referring generally to certain aspects and details, which do not form the subject of specific resolutions to be moved hereafter during this session.

As regards the Butler Committee's Report, I will say this much further on this occasion. But the very nature of things it would perhaps have been expecting the impossible to have hoped that the Butler Committee would see everything eye to eye with the Indian States; and consequently it is not really surprising that there should be some divergence of views, even in regard to important matters, where the standpoint of the States differs from the recommendations of the Butler Report. In this connection, I would once again invite attention to the Resolutions passed on the subject by the Princes at the Bombay Conference in June last. Speaking personally for myself, I do not share same views as I have heard expressed by some, as for instance that the Butler Report is "staggering" or that it is "a slap on the face of the Princes". I have always had a high personal regard for my old friend Sir Harcourt Butler, and whilst realising some of the disappointing features of the Butler Report, I cannot really bring myself to attribute them to any lack of sympathy for the States on the part of Sir Harcourt; and I feel that it is possible to ascribe some such unsatisfactory or indecisive features to the extremely difficult nature of the questions involved, and to the fact that there is no parallel to the unique position of the Indian States.

Rather than looking upon the Butler Report as the end of things. I personally look upon it as the beginning of things—from the consideration of which, and from the negotiations resulting from which, final settlements

on lines equitable and fair to the States might reasonably be expected to ensue.

But with all that it will be obvious that the Butler Report is not the authoritative verdict of a tribunal and that the States cannot be expected to treat its recommendations as final.

There is a saying—particularly in that part of India from where I come, *viz.*, Rajputana, which applies to all men of honour and self-respect throughout the world of whatever country, race, or religion—that a man, worthy of the name of a man, fights his utmost to defend four things; namely—(1) his honour and dignity; (2) the honour, dignity and safe-keeping of his lady folk and family; (3) his lands—which term broadly interpreted embraces not only his territorial possessions in whatever form but also his rights and his inherent, vested interests of all kinds; and (4) his weapons and his horses.

Leaving aside today certain points legal and otherwise—which at present do affect the dignity of the members of our families and which need attention—the Princes and States I need hardly say, are very much interested in questions affecting the honour and dignity of the Princes and their families, and in safeguarding their territorial possessions, and Treaty and other rights and the interests of their States and subjects.

For a satisfactory, just and honourable settlement of the points that are at issue between the Indian States and the British Government, or between the States and British India—some of which form the subject of specific resolutions today and in the two days following—the first thing that appears to my mind is that none of us should be hide-bound by red tape, or tied by past precedents, and past usage and political practice. Usage is forming the subject of a separate resolution, which has also been allotted to me to move later on during this session. Red tape is, as we all know, a word that is a hardy annual and the subject of jokes, relating to most of, if not all, the Governments of the world, where official procedure at times receives prior consideration at the expense of the head and the heart. As Mr. Lloyd George remarked, when he was Prime Minister, in his speech at the Guildhall in regard to India in my presence in 1917, when the Imperial War Cabinet was in session—

“Minds running the same course for a long time are apt to get rutty; and the weightier the mind the deeper the ruts. You require fresh minds to lift the cart out of those worn furrows.”

We sincerely and gratefully appreciate the very sympathetic policy of Your Excellency, ably supported by a sympathetic Political Secretary—in the person of my old friend Sir Charles Watson. But one cannot help regretting that the good work and the good atmosphere created between 1916 and 1918 had not been continued longer without interruption and further utilised to the mutual benefit of Imperial and States' interests; and had the work and problems relating to the States been tackled and continued on right lines, a happy consummation would have been rendered all the easier of attainment within a very short time afterwards. For the demands of the States contained nothing unreasonable, and could, in my humble estimation, have been settled at the most within some two years or so. But this, alas, is a case of lost opportunities, which, in Imperial interests, also, I respectfully submit, no less to be deplored. The policy as regards the States, instead of being carefully conceived, settled and framed upon generous, liberal, and sympathetic lines is handicapped at times by old precedents and prejudices and is apt to undergo changes at the whim

and fancy of those responsible for the conduct of affairs of the Indian States, and is specially liable to be varied by so many diverse elements and according to the personal predilections, and idiosyncrasies of the Viceroy, the Political Secretary or the Secretary of State and his Council of the time being. In the case of some not in touch, or in sympathy, with the States, or who—what I venture to submit and in the opinion of the States—misread the situation, or fail to grasp the points involved, much harm can be done; and with one stroke of the pen former carefully considered policies based on close personal contact of the States and a true realization of the position and rights and circumstances of the States, are changed and new policies inaugurated, which lead to mutual mistrust, disappointment and difficulties, which successors, however sympathetic, find it difficult—in view of notes and policies recorded—to get away from at least for some time to come.

Had it been otherwise, there would, in my humble estimation, have been no necessity for the Butler Committee to be appointed; nor for the heavy expenditure which the States had to incur in being forced to fight for their just rights; nor would either the British Government or the Indian States have had to bear all the trouble, disappointment and discouragement which have resulted. New fangled theories about the ultimate powers regarding Paramountcy, and such matters, before the appointment of the Butler Committee, and the extravagant and exaggerated Imperialist claims, inconsistent with the plighted word and good faith of Great Britain, or sound statesmanship, advanced on behalf of the Paramount Power—claims more wide, more frequent, more insistent and, I respectfully submit, based on varied and not infrequently untenable grounds and opposed to constitutional and historical facts and to the provisions of our Treaties and other Engagements, and in direct contradiction of the solemn and real pledges and assurances in the famous gracious Proclamation of Queen Victoria, repeatedly reiterated and affirmed by successive British Sovereigns in numerous Proclamations—have not helped to ease the situation or to allay the anxieties of the States, or their Rulers, Governments and people.

As regards precedents, which not infrequently are created, and then followed and quoted—without the States having had any voice in the matter—I think I can best, without taking up too much time of Your Excellency and Your Highnesses, sum up the feeling of the States by referring to a speech made in 1917 by General Smuts while speaking about the future constitution of the Empire, which I have quoted before, and which other Princes have since done me the compliment of quoting in their turn. General Smuts said:—

“Do not try to think of existing political institutions which have been evolved in the case of European developments. The British Empire is a much larger and more diverse problem than anything we have seen hitherto and the sort of constitution we read about in books, the sort of political alphabet which has been elaborated in years gone by, does not apply, and would not solve the problems of the future. We should not follow precedents but make them.....I am sure, if we disabuse our minds of precedents and preconceived ideals, we shall evolve, in the course of years, the institution and machinery that will meet our difficulties.”.

I respectfully beg to urge—and I feel Your Excellency will agree—that this is equally true and desirable as regards the relations of the Paramount Power with the Indian States and that this very sound principle—enunciated by a great Dominion Statesman—will be found to be of mutual advantage to Imperial interests as well as to the States. If we could go ahead in the future with imagination, and regardless of precedents, and do what is just, right and equitable to all parties concerned, it would assuredly result in further strengthening the ties that bind the Princes and people and States of India to the Crown.

If regardless of past precedents, we act on principles of right versus wrong, and are inspired with a vivid imagination and a broad out-look, it must be productive of the greatest benefit all round. As an example I would quote the instance of Sir Henry Campbell-Bannerman, when he was Prime Minister of England, and his Government, who succeeded, inspite of strong opposition in granting Dominion status to South Africa, which proved of inestimable value to the Empire during the Great War, when South Africa voluntarily and willingly fought, side by side with the other countries comprising the commonwealth of British Nations against those who thought that might was right.

Truly has it been said that little minds and a great Empire go ill together; and I feel that I am voicing the confident and earnest hope of all of us here that in regard to the States—big and small, rich and poor important and unimportant—Your Excellency and Sir Charles Watson will leave a legacy to your successors which will prove a source of unalloyed gratification to the States and end the perpetual anxiety and worries to which the States, under the present system of flux and drift are subjected to.

There is one other point about which I would also ask for the indulgence of Your Excellency and Your Highnesses to make an observation or two, and that is on the subject of diplomacy. I beg, with all modesty, to quote an extract from a speech which I made on the opening day of the Princes' Conference in November, 1919, in supporting a resolution moved by my dear and lamented friend, His Highness the late Maharaja Scindia of Gwalior, on the victorious termination of the Great War, in the course of which, after alluding to the Imperial aspect of the relations between the British Government and the Princes, and referring to the future "with high hopes", and as "full of bright augury", I ventured to urge in the following words that there was no need between the British Government and the States to have resort to diplomacy:—

"Guided as we are, in Your Excellency's eloquent words by candour, loyalty, liberality and goodwill, there is no need between us for that evil thing—secret diplomacy. We have stood together in the past and weathered many a storm. We devoutly hope that an era of peace and prosperity lies in front of us for many a year to come. But should fortune be fickle; should we have to face once again external aggression or internal trouble; should we have to fight the Bolshevik menace, or to repel the invasion of a foolish or arrogant foe, the British Government and the Ruling Princes will assuredly continue to stand together, shoulder to shoulder, united in their loyalty and devotion to their Gracious King-Emperor. Whatever betide and come what may, the union shall abide and stand every strain."

11. As for the future I can best quote from a recent speech by Mr. Ramsay MacDonald, the present Prime Minister of Great Britain, regarding Egyptian affairs which is also applicable to India and the Indian States:—

“There is an old World, old in civilization, in philosophy, in religion, and in culture, which has hitherto been weak in the material powers that have characterized Western peoples, but that World, wrapped in slumber as we thought, has now become awake and is beginning to understand what national self-respect is. Taught and tutored very largely by us, it is bringing our own ideas home to us and asking us to honour the effects of our actions and to grant it—not by charity, but because our hearts are enlightened—the freedom that we have been nourishing for ourselves for so many generations. The great danger . . . then, is that we may be too long in performing this act of recognition”.

12. Your Excellency and Your Highnesses, that is the spirit that animates British India, as well as the Indian States, and I will conclude my speech by again quoting a few words from another recent speech by Mr. Ramsay MacDonald, which precisely sums up my feeling as regards the negotiations now to ensue between Your Excellency and your Government and the Indian States, as well as in regard to the important points arising out of the Butler Report and the Round Table Conference and other matters, namely:—

“I will be optimistic until the end.”

His Highness the Nawab of Maler Kotla: Your Excellency; Your Highnesses: I beg to associate myself with my distinguished brother princes who have spoken before me that we all are very grateful to Your Excellency for the appointment of the Indian States Committee. As regards the Committee's report I wish to make a few general remarks. It is indeed gratifying to note that the Committee has found that “the relationship of the States to the Paramount Power is relationship to the Crown, that the Viceroy and not the Governor General in Council should in future be the representative of the Crown in all dealings with the Indian States, that the treaties with the Indian States cannot be read as a whole and that in view of the historical nature of the relationship between the Paramount Power and Princes the latter should not be transferred, without their own agreement, to a relationship with a new Government in British India responsible to an Indian Legislature”. The classification of the States adopted by the Committee in para. 11 is a good suggestion. They have classified the States into three classes: (1) the rulers of which are members of the Chamber in their own right, class (2) the rulers of which are represented in the Chamber by elected members and class (3) consisting of estates and Jagirs and others. I am confident that if this classification were officially adopted it would be more welcome and scientific than the vague terms of big, small and smaller States.

The Committee's definition of Paramountcy leads us no further. We all know that Paramountcy is Paramount, but what was needed was some clear indication as to what are the main adjuncts of paramountcy and what were the broad principles under which intervention could, in fairness to the interests of the States, be resorted to. The committee have based paramountcy on treaties, engagements and Sanads supplemented by usage

and sufferance and decisions of the Secretary of State and the Government of India embodied in political practice. They have not defined usage or sufferance which can affect, acknowledge and recognise rights guaranteed under the treaties. It is obvious that in order to be effective, usage must be based on the mutual consent of the parties concerned, and be sufficiently continuous and uniform as to impart consent. It is also recognised that no unilateral act of the Crown's Agents, without the consent of the States, the other party concerned, can detract in any way from the rights guaranteed under solemn treaties and confirmed by repeated Royal Proclamations.

The desirability of intervention in certain extreme cases is not contested by the States. We also recognise that the details as to when such intervention should proceed cannot be worked out with mathematical precision and that something must remain with the discretion of the Viceroy. But there seems no practical difficulty in having, by mutual consent, some broad principles, so that the States know when they would be invoking intervention. This desire of the States is further strengthened by certain unwarranted and strange novel formulas of intervention enunciated in paragraphs 50, 54 and 55 of the report. Enough has already been said on these paragraphs, and I need no more than just refer to them. The mere size of a State can be no a justification for intervention as stated in paragraph 54 and we cannot record too strongly our protest against paragraph 50 as framed by the Committee. It virtually means to put a premium on agitators, and I am afraid, if allowed to stand in its present form, would add to our troubles, which obviously is not what the Paramount Power would be expected to desire.

There is one other point which I wish to emphasise. It is to express clearly and unequivocally, and, I am sure, here I am speaking for many of my brother Princes, that any scheme or arrangement evolved as a result of the Indian States Committee's recommendations or of the proposed Round Table Conference should apply to and benefit all grades of States at least to the extent of those States who are represented in this Chamber. In this connection, I would also invite attention to paragraph 88 of the Butler Report which deals with the extension of exemption from customs duty to all members of the Chamber in their own right. We hope that Your Excellency will use your good offices to ensure that this courtesy is also extended to States which are represented in the Chamber.

It will lend greater confidence to the conclusions of the Round Table Conference that as far as possible Princes of different grades may be represented at the Conference. With these words I beg to support the resolution so ably moved by my esteemed brother His Highness the Chancellor.

His Highness the Maharaja of Alwar: Your Excellency; Your Highnesses: Having been served with a perfect feast of post-prandial oratory and with a menu that would do justice to a Lord Mayor's banquet of manuscript eloquence, I feel that I must indeed be extremely brief in connection with the most important subject—the Butler Committee Report, before the physical condition of the assembly descends to a moribund coma. In connection with the Report itself I feel something like Bacon's fly that sat on the chariot wheel and said "Lo! what a dust do I raise!" For I was a bird of passage that fluttered across the plains into the dove-cotes of those Olympian heights of Simla and found my resting place on a small branch—a

very hospitable one—in the Viceregal Estate. I went there to welcome very cordially a new Viceroy when I also had the opportunity of suggesting that a Round Table Meeting of the Princes might take place. I am glad that it ultimately fructified, with the result that, at the meeting which also took place in Simla later, it was suggested that a Committee might be appointed in order that it may go through all the various propositions and suggestions that we put forward in connection with future position of the Indian States, especially because side by side considerations were going to be concentrated on questions relating to British India. The Resolution that has been moved by His Highness the Chancellor refers to our gratitude to Your Excellency for having accepted our suggestion for the appointment of a Committee. Indeed the acceptance was so conspicuously quick that we were informed just a week beforehand that Sir Harcourt Butler was going to sail and be out in India. Then the Committee arrived and went round various States. It went back to England—hotly pursued by the Princes who went to discuss important subjects with the Committee. There were reports and counter-reports presented by our counsel with voluminous pages and passages of manuscript regarding cases, and important problems which were very summarily dealt with by the Committee ultimately in one of its references. But so far as the questions placed before the Committee are concerned, although we should have liked the terms of reference to have been bigger, and I am not sure that Your Excellency would not have been of the same opinion, the terms of reference finally decided on and placed before the Committee were two, both very short and sweet. They were (a) to report on the position of the Indian States, and (b) to suggest adjustments of fiscal relations between British India and the Indian States. I remember discussing this subject with an Officer of high position and he asked me. "What is your view of the Butler Committee Report?" I said, "As short and as sweet as the terms themselves. As regards (a) they have said, 'we have failed, as others before us have failed', to define correctly the position of the Indian States, and (b) they have recommended that a Committee should be appointed in order to thrash out the problem of fiscal relations." I said, "That is the conclusion" and he said, "So, that is That"; and I agreed. Most of the report can be divided up into two portions: (a) the question of paramountcy, and (b) (closely allied to it) the problem of intervention. I will excuse myself from arguing on either of these two topics referred to in the Report on the present occasion, because these are coming up as separate Resolutions for discussion, and I will not anticipate any of those discussions or my own remarks on these subjects. But there are a few aspects of the Report which I should like to refer to in order to join in the chorus. While personally I regard Sir Harcourt Butler as a very old and true friend of mine, and apart from that, he is one who has left behind him the hall marks of his period of office in the hearts and minds of the States, and in practice too he will be remembered for a long time as a good friend to the Indian States—yet his Committee had only a very limited time to deal with all the problems that I am going to refer to. I will try to make my remarks brief. As I have said, since they are covered under these two heads I shall not refer to those parts of them, and will divide my observations under two heads in keeping with the precedents of the Chamber Resolutions which begin generally with condolences and end with congratulations.

On page 14 of the Report it has been laid down in paragraph 21 that the Paramount Power has had of necessity to make decisions and exercise the functions of Paramountcy beyond the terms of the Treaties in accordance with changing political, social and economic conditions. That refers to what appears to us a new theory that was divulged in the Hyderabad case. That is a point that can be contested, provided it can be put forward in a sufficiently logical manner—which I hope it can. But further discussion of that point comes under the term of the Paramountcy so I will go no further. On page 16 (paragraph 24) it is laid down that the Paramount Power has defined its authority and its right to intervene with no uncertain voice on occasions. It goes on then to refer to certain cases. These also are matters of Paramountcy and Intervention which will come under different heads for discussion. Then on page 28, in paragraph 50, it lays down that the promise of the King-Emperor to maintain unimpaired the privileges, rights and dignities of the Princes carries with it a duty to protect the Prince against attempts to eliminate him and to substitute another form of government. If these attempts were due to misgovernment on the part of the Prince, protection would only be given on the conditions set out in the preceding paragraph. If they were due, not to misgovernment, but to a wide-spread popular demand for change, the Paramount Power would be bound to maintain the rights, privileges and dignity of the Prince; but it would also be bound to suggest such measures as would satisfy this demand without eliminating the Prince. That indeed is a new theory again which I have not discovered in any Treaties, perhaps not even in usages. This is a point that can be contested, and there are many others which can be treated in a similar manner. But I maintain that, with the Indian Conference coming on in London, I doubt very much, if really all that we say in this Chamber will be read by Members of Parliament or by gentlemen concerned who will meet us, therefore it will not be of much avail to put forward detailed objections to the Report at this stage. But in this Chamber I understand that in a business-like way and briefly, we are really saying and putting forward the principle that we do not accept all the conclusions of the Butler Committee Report; nor do we hope or expect that they will be treated as the final word in connection with our future political relations. Indeed if that were so, the Report would not be coming up before the Round Table Conference. Therefore I will conclude my remarks under the first head. As regards the second,—I will try to be still more brief—on page 11 (paragraph 11) it has been stated that the common feature of all States is that they are not part of or governed by the law of, British India. That has been very emphatically stated at the end of paragraph 13—"truly it may be said that the Indian States are the Indian India." And similarly on page 14 (paragraph 20) it is stated with regard to a certain policy "that in its turn it gave way before the existing conception of the relations between the States and the Government of India, which may be described as one of union and co-operation on their part with the Paramount Power." And finally on page 52 is enunciated the principle that "we hold that the Treaties, Engagements and Sanads have been made with the Crown, and that the relationship between the Paramount Power and the States should not be transferred, without the agreement of the latter, to a new government in British India responsible to an Indian legislature". We can cordially congratulate Sir Harcourt and his Committee on these and several other portions of the Report. Therefore without going into further details, which I

consider will be quite unnecessary at the present juncture, I would like to say that the Report is written very lucidly. The principal point that I want to make is that the Report is by no means the be-all and end-all of our future existence and, as His Highness of Bikaner has rightly said: "It is not the end, but the beginning". I say further that the Report is not the building complete, at which we may look with dismay, but it is something on which we can build. It is the foundation, and if we take it in the right way I believe a great deal of good can come to both sides. When the Round Table Conference assembles I have no doubt there will be many rumblings and volcanic eruptions. Much lava will probably pour forth with considerable heat and in considerable volume, and then eventually when that has subsided out of that mountain will emerge a little mouse, two-thirds painted red and one-third yellow, and we shall see what that mouse is going to achieve. We hope that it will fulfil the anticipations of those who had been praying to the great mountain.

His Excellency the Viceroy: Your Highnesses: It is perhaps only necessary for me to say a word or two before putting this Resolution to the vote. As has been pointed out by several of Your Highnesses, a good many of the subjects, to which a passing reference has been made, will come in for more detailed examination under other heads and in the Resolutions which will be discussed in the course of the next day or two. But I think for my own part that I have no hesitation at all in labelling the discussions that have taken place this afternoon as most interesting, and, I hope, useful. Your Highnesses who have spoken have not shrunk from giving a very frank expression of your views on matters in which you disagree with the findings of Sir Harcourt Butler Committee's Report. For my own part, although I frankly confess that there are points on which I should have laid emphasis but reached different conclusions I think I have seen nothing but gain from the very frank discussion of the kind we have had. I must make an acknowledgment now which, for the sake of brevity, I shall not repeat during the latter Resolutions, and all that I can say is that during the remainder of Your Highnesses' discussions I hope to be an intelligent listener who will take note of what Your Highnesses will say, but will not be prepared at this stage either to commit the Government of India or the Secretary of State to declarations of policy on matters, which, as more than one of Your Highnesses have pointed out, are still in the early stage of discussion. I should like to emphasise again what the Maharaja of Alwar has emphasized that we are at the beginning and not at the end of discussions and deliberations, and I anticipate that both Your Highnesses and I and His Majesty's Government at home will have ample opportunities of considering and discussing these things together, and reaching a very large measure of agreement with regard to them.

As regards the general principles in Sir Harcourt Butler's Report, without going into details I think it would be admitted that he was a reasonable man. We may all admit that it was hardly likely that three enquirers would have succeeded in producing a report which would have given universal satisfaction. Such a thing is impossible in the history of human affairs. On the other hand I have no doubt that Sir Harcourt would be the first to admit that his report was not verbally inspired, and indeed he often admitted to me in private conversation that he had put all the facts together with a view to stimulate just the sort of discussion

that Your Highnesses and I have enjoyed this afternoon. There is one last observation which I would make, that whether you may agree with this or that recommendation of the Committee, or whether indeed some of Your Highnesses might have preferred a Committee in a different form, at least I have no doubt on this point that the broad result of the appointment of the Committee, and of the Committee's investigation and report, has been to ensure for Your Highnesses the opportunity that many of Your Highnesses have wanted for some time past of bringing matters of importance to the States,—to Your Highnesses individually and collectively,—into the arena of practical discussion. And I can very well appreciate the view of those who say that decisions in such matters went one way or another, either through inadvertance or for other reasons, perhaps having unforeseen results seriously inimical and unfavourable to the States. If this is so, I see nothing to regret in this opportunity, but rather to welcome things having so moved as to necessitate a full and frank discussion among all the parties concerned about the matters which some of Your Highnesses have discussed. It is in that spirit, therefore, that I have listened to and appreciated Your Highnesses' discussion, not necessarily as agreeing with it, but sharing Your Highnesses' gratification that we are able to approach a concrete and practical discussion of a matter on the importance of which all of us are agreed.

I think I may put the Resolution to the vote, that this Chamber places anew on record its appreciation of the active sympathy evinced by His Excellency the Viceroy in supporting the request of the Princes for the appointment of a Committee to enquire into their problems. Will those in favour please signify the same?

(The Resolution was carried unanimously.)

His Excellency the Viceroy: I do not know, Your Highnesses, whether we could get through the next item on the Agenda. Perhaps the Chief of Sangli could tell us whether we could get through the next Resolution within half an hour.

His Highness the Chief of Sangli: Your Excellency, I do not think it would take long.

His Highness the Maharaja of Patiala: If that would be convenient to Your Excellency we could get it through. There are only two speeches.

Agendum No. 11 (1).

Authorisation of a representative committee to negotiate on behalf of the Chamber in pursuance of the resolutions adopted.

His Highness the Chief of Sangli: Your Excellency; Your Highnesses: I have much pleasure in moving the resolution which stands in my name, namely, that this Chamber authorises the Princes of its Standing Committee, with power to co-opt, to take such general action as may be necessary from now till the next meeting of the Chamber, and, especially, to undertake negotiations in furtherance of the resolutions adopted at this session and on other occasions. The resolution is a simple one and I do not think that it needs many words from me to commend itself to Your Highnesses. On going through our business on the 1st of March we adjourn and do not meet until our sessions next year. Before, however, we reassemble in 1931, our Standing Committee may be called upon to

deal with the several very important resolutions which we have adopted at this session and on previous occasions. But in order that they may bear the requisite fruit the Standing Committee may find it necessary in furtherance of the object of the resolutions to take some general action or to carry on negotiations regarding them. If, however, we do not give the Standing Committee the necessary authority, it will be very difficult, if not impossible, for them to obtain it from Your Highnesses and as a result they may find themselves unable to achieve the object aimed at by the resolutions. It is likely that the Standing Committee will have to proceed to England in connection with the work of the coming Round Table Conference. If they feel the need of your authority there, it will be practically impossible for them to secure it in time. In view of the great importance that we attach to our resolutions and the momentous issues hanging on them, we ought to take steps to guard against such a contingency. The way to do it is to give now to the Standing Committee the authority which the resolution asks Your Highnesses to do. Your Highnesses have by now had enough experience of the kind of work the Standing Committee have done in the past. It is possible that some of the resolutions may require the association with the Standing Committee of other persons whose assistance they may regard as essential. It is, therefore, desirable that the Standing Committee should be empowered to co-opt necessary persons. I, therefore, hope that Your Highnesses will be pleased to pass the resolution unanimously.

His Highness the Nawab of Bhopal: I find myself in full accord with the views expressed by His Highness the Chief of Sangli, and have great pleasure in seconding the resolution.

His Highness the Maharaja of Rajpipla: I do not want to take Your Excellency's time, so I just want to say this, that this is a year when momentous changes are likely to take place in all directions, and this will no doubt entail a heavy burden on the members of the Standing Committee as far as they relate to affairs of Indian States. It may be necessary therefore for them to take advice from those outside the Committee, and they should, under such circumstances, be given a free hand to avail themselves of such help and advice. It is hoped, however, that, whenever this is done, the members of the Chamber will be informed as soon as possible of the circumstances under which such advice was taken.

His Excellency the Viceroy: I would only, if I may, add one observation on this resolution before putting it. I have no doubt Your Highnesses will pass it for obvious reasons, but I hope the Standing Committee will see the wisdom of interpreting it in the sense of taking the counsel, as I should myself feel bound to do, of Princes not attending the Chamber of Minority Administrations. It is very important, I think, that we should as far as possible carry all elements along with us. May I now put the resolution to the Chamber?

(The Resolution was carried unanimously.)

His Excellency the Viceroy: I think Your Highness' Resolution will lead to some discussion.

His Highness the Nawab of Bhopal: I think it would.

His Excellency the Viceroy: We will adjourn now. We will meet tomorrow at 11-30 A.M.

This concluded the proceedings of the day.

PROCEEDINGS OF THE FOURTH DAY (MORNING).*February 28th, 1930.*

The following Ruling Princes and Chiefs were present:—

Baroda.

His Highness the Maharaja of Baroda.

Kashmir.

His Highness the Maharaja of Kashmir.

Central India.

The Rao of Alipura.	His Highness the Raja of Jhabua.
His Highness the Nawab of Bhopal.	His Highness the Raja of Narsingarh.
His Highness the Maharaja of Charkhari.	His Highness the Maharaja of Panna.
His Highness the Maharaja of Datia.	His Highness the Raja of Rajgarh.
His Highness the Maharaja of Dewas (Senior Branch).	His Highness the Raja of Sitamau.

Rajputana.

His Highness the Maharaja of Alwar.	His Highness the Maharawal of Dungar-
His Highness the Maharaja of Bikaner.	pur.
His Highness the Maharaj-Rana of Dholpur.	His Highness the Maharaja of Kishengarh.
	His Highness the Maharao of Kotah.

Punjab States.

His Highness the Nawab of Bahawalpur.	His Highness the Raja of Mandi.
His Highness the Maharaja of Kapurthala.	His Highness the Maharaja of Patiala.
His Highness the Nawab of Malerkotla.	His Highness the Maharaja of Sirmur.
	His Highness the Raja of Suket.

Western India States.

His Highness the Maharaja of Nawanagar.	His Highness the Raj Sahab of Wankaner.
His Highness the Maharaja of Porbandar.	

Bombay.

The Nawab of Balasinor.	His Highness the Maharaja of
The Raja of Bansda.	Kolhapur.
The Pant Sachiv of Bhore.	The Raja of Lunawada.
The Maharana of Danta.	His Highness the Maharaja of Rajpipla.
The Chief of Jamkhadi.	His Highness the Chief of Sangli.

Bihar and Orissa.

The Raja of Baudh.	The Raja of Talcher.
--------------------	----------------------

Punjab.

The Raja of Baghat.	The Raja of Kalsia.
---------------------	---------------------

United Provinces.

His Highness the Raja of Tehri (Garhwal).

Sikkim.

His Highness the Maharaja of Sikkim.

Agendum No. 11 (2).

Sanads, Treaties and Engagements, and the position of Paramount Power in respect of them

His Highness the Nawab of Bhopal: Your Excellency; Your Highnesses: I hereby move a Resolution—

That this Chamber is of opinion—

that the grant of a Sanad by the Paramount Power confirming to a State a right which inherently belonged to it does not entitle the Paramount Power to claim that it has created that right in the exercise of its paramountcy; and

that no Sanad imposed by the Paramount Power can supersede previously existing treaties or engagements between it and a State.

Any one listening to our debates, but unacquainted with the history of the Indian States, might well ask himself "Why move such a Resolution? The proposition is self-evident". One who grants something new to some one else, including the Paramount Power conferring a new privilege on a Ruler of an Indian State, is entitled to attach conditions to the grant, and it is open to the grantee either to accept the grant on those terms or to decline it if he considers the conditions too high a price for it. But when the Sanad, or deed in question, merely recognises rights which previously existed, then obviously the grantor, including the Paramount Power, is not entitled to attach restricting conditions which otherwise affect the position or status of the grantee. Obvious as that may seem, the principle has in fact been departed from in the past by the Paramount Power and hence the reason for this Resolution. The necessity would have been avoided if the Indian States Committee had availed themselves of the opportunity afforded to them to clear up the position. The question of the rights and obligations arising from Sanads was specifically included in the terms of Reference to the Committee. It was fully argued on our behalf before them; but it is nowhere alluded to in their Report. In one passage, in connection with the general relations between the Paramount Power and the States, they observed "few Governments at any time in history could look back on more than a century of action without some historical regret that certain things have been done". In other words "all Governments commit mistakes", a remark which I submit is an unsatisfactory substitute for neglecting the opportunity to make a broad statement of principle.

To any one who knows the subject, the documents known as the "Caning Sanads" or the "Adoption Sanads" are the outstanding instance of a Sanad intended to be granted by the Paramount Power to recognise an existing right namely, the right of adoption of a successor inherent in Hindu Rulers, which right however had been set aside and denied in some instances by the Paramount Power owing to one of those mistakes on the part of Government which occur in history. In their desire to set the matter right the Paramount Power issued similar Sanads to the Mohamadan States. As adoption is unknown to Islamic Law, the wording was varied so as to read (to quote the case of Bhopal) "on failure of natural heirs any succession to the Government of your State which may be legitimate according to Mohamadan Law will be upheld". Seeing that that was a case of recognising an existing right and seeing that the document

recited that succession on failure of natural heirs was governed by Mohamadan Law, it would be natural to assume that it was equally understood that succession of natural heirs was equally so governed. Yet, owing to the terms of a despatch which passed at that time between the Secretary of State and the Viceroy and was not communicated to the States concerned, grave doubts were later raised as to that application of Mohamadan Law and were only set right after long and anxious correspondence. I cite that fact as an instance, known personally to myself, of the great danger which States may incur from failure on the part of the Paramount Power to recognise the principle embodied in my Resolution.

Another instance, affecting a whole group of States has occurred with regard to the Sanads issued to the Bihar and Orissa States since 1894 and the reasons for those Sanads were that, as doubts had arisen in the minds of the Political Department as to the position of those States, the Sanads were issued to their Rulers confirming their authority and dignities. Yet numerous restrictions were attached to the confirmation, and further the first Sanads to be issued to some of the States in the year 1894 ignored and suppressed an existing treaty engagement of 1803. I am told too that cases have occurred in which Sanads have been imposed, in spite of protests from the States concerned which operate to limit powers which have been enjoyed by the States unhampered for many years.

The Resolution which I have the privilege to move is intended to cover such cases and to remove all doubts and misunderstandings for the future.

His Highness the Maharaja Jam Saheb of Nawanagar: Your Excellency; Your Highnesses: I second the resolution which has been so ably moved by my distinguished brother, His Highness of Bhopal.

As His Highness has pointed out, the question is one on which the Princes have always felt strongly, and indeed it would be strange if they did not. We always speak of our Order as an entity, and in this Chamber, we represent the Princes and Chiefs, and as a Chamber it is our bounden duty to press the rights of all of us. The matter was raised by us before the Indian States Committee, but the learned members of the Committee did not deem it necessary to express any views on the question. It is rather surprising that a question which was so specifically raised should have escaped their attention. But that is the fact.

The resolution does not ask for anything new. It merely records the opinion of the Chamber that a Sanad which is issued by way of acknowledging an existing right cannot either create new obligations or restrict the right which it purports to confirm. Put in these words, it may sound a truism, but Your Highnesses know quite well how great and irreparable is the mischief which has resulted from a different procedure adopted in issuing Sanads or from interpreting Sanads so issued, upon a basis, which, by hypothesis, is inadmissible. It happens that whenever any action, manifestly against the provisions of a subsisting treaty, is taken, and attention is drawn to that fact by us, the justification pleaded for such action is the conditions laid down in Sanads, which give us nothing new, but merely acknowledge the rights which were inherent in us as Rulers and which we had always enjoyed. Next to the vague and never-defined claims of paramountcy, the claims based on these Sanads have been the dreaded instruments by which the acknowledged rights of the States have been diminished.

Your Excellency, our proceedings throughout this Session have been marked by great frankness of utterance on our part. We have ventured to express our feelings and our convictions without mincing our words in the belief that Your Excellency as the representative of His Majesty the King-Emperor, with whom are our relations, would like to know what is exactly in our minds. In many a context already we have suggested that we have suffered great injustices. In connection with the Sanads imposed I have already dealt, but there is a class of cases which involve an injustice of a far greater hardship. We know at least of one State which came into contact with the British Power in 1803. Until 1899, for more than 96 years, this State continued in the enjoyment of its internal sovereignty, although for the sake of accuracy, it must be stated that, during this period, attempts were made to encroach upon the judicial powers of the State. But the fact remains that for 96 years, after intercourse was established between the British Power and this State, no treaty or engagement was entered into, and yet in 1899, without any regard to the special history of this case, the Government of India be-thought themselves of conferring upon this State also a Sanad, along with many other States; and in this Sanad, the rights which this State had enjoyed, not merely during the 96 years of its contract with the British Powers, but ever since it came into existence hundreds of years ago, were suddenly curtailed. Your Excellency, I ask, is it fair, is it just, for a mighty Government thus to impose its will upon a weaker unit to its detriment, and indeed, if I may say so, to the benefit of the stronger party?

We do not deny that the Crown has the right to attach restrictive clauses: when it is granting new privileges, surrendering some rights it enjoyed or ceding new territory. That, of course, would be the consideration for the restriction: and the Sanad, so granted, will be a new agreement, but the procedure so far has been to add conditions or restrictive clauses to Sanads, which merely acknowledged an existing right. The case of Bihar and Orissa States has been quoted. How can we be sure that the same procedure will not be repeated elsewhere.

It is therefore time that this Chamber should express itself clearly on this question. I earnestly hope that this resolution will be unanimously adopted.

His Highness the Maharaja of Patiala: Your Excellency; Your Highnesses: I strongly endorse the remarks of Their Highnesses the mover and the seconder of this resolution. To me, the position stated in the resolution seems to be palpably equitable and just. No unilateral act can without consent of the parties concerned add to, or detract from, the rights and privileges enjoyed by either of them. A Sanad, by its very nature, unless accompanied by the free consent of the grantor and the grantee, has no valid, legal effect. If it confirms a portion or totality of rights enjoyed by a party, it is superfluous and merely a matter of official routine. If it purports to detract from the rights already existing or granted, its effect is still less potent. In fact, a Sanad, unless so far as it is an evidence of mutual agreement, is sterile.

Your Highnesses, there is yet another type of cases, as for instance, the position of Seraikella State, which are also intended to be covered by this resolution. There, Your Highnesses may know, the State enjoyed complete independent powers and fought as allies of the British Government. This power continued to be enjoyed unhampered for over sixty years, when suddenly, against the protests of the State concerned, it appears

that certain 'Sanads' were imposed, giving only limited powers to the State, while in practice the State had already enjoyed far greater powers. It is obvious that both in equity and justice such Sanads should not be allowed to operate against the established rights of the States concerned.

I hope and trust that all such cases will receive the consideration they deserve, when we are examining these questions in the proposed negotiations. With these words, I beg to support the resolution.

The Chief of Talcher: Your Excellency; Your Highnesses: After the very lucid exposition of the question by Their Highnesses who have preceded me, there is not much for me to say. I wish, however, with Your Excellency's permission to emphasise our sense of dissatisfaction, which was unanimously expressed at the Bombay informal Conference and communicated to Your Excellency by our representatives at Poona, at the failure of the Butler Committee to differentiate between Sanads that are in the nature of engagements and those that are imposed upon the States. Your Highnesses, we of the Bihar and Orissa States are determined to stand by our obligations to the Crown, and we expect, as we are entitled to expect, that nothing will be allowed, without our mutual consent, to operate in limiting or detracting from our rights (granted and enjoyed) already existing and recognised under the treaties or otherwise. In this connection, I venture to submit what has already been pointed out in another connection, that we trust that, in view of our engagements, the question of bringing us in direct relationship with Your Excellency will be taken up as soon as possible. In the meantime, we trust that Your Excellency's sympathetic statesmanship will ensure the extension of courtesy of exemption from customs duty, for the personal goods of the Rulers to all States having representation on the Chamber. With these words I beg to support this resolution.

The Chief of Baudh: Your Excellency; Your Highnesses: This resolution has been so ably moved, seconded and supported by Their Highnesses that I hardly need say any words to elucidate my view points. But the second part of the resolution is so very important, and so directly concerns the States, whom I have the honour to represent in this Chamber, that I feel impelled to speak a few words and not let the opportunity pass.

Your Highnesses are fully aware of the famous Royal Proclamations, as well as the pronouncements of the successive Viceroys and Secretaries of State, about the sanctity of the engagements made with and pledges given to us by the British Government on behalf of the Crown. These declarations have generated in our hearts a living force and an undying faith. They are sacred to us. Consequently I submit that a Sanad which is merely an instrument of recognition of existing rights or possessions cannot without mutual consent curtail or detract the powers and rights already enjoyed, otherwise a direct violation of the sanctity of the engagements and assurances which are declared to be inviolate and inviolable, would take place.

The obvious nature of our position leaves no room for doubt as it has been recognised in a Full Bench High Court Ruling which holds that except payment of certain tributes to the British Government, these States are completely independent within their territories. In this connection I beg to invite Your Excellency's attention to the judgment of

the Justice Mr. Pontifex in the Mayurbhanj case. Under such circumstances a redefinition of the position of States by imposing Sanads which really curtail existing powers is, if I may submit, unjustifiable. This position, Your Highnesses, is made still more difficult now by varying interpretations, put by the Local Governments and the various Officers, on the Sanads. Sometimes rules framed mainly for the guidance of the Political Officers which are supposed to be confidential, are enforced against the States. These rules and interpretations go far beyond the limits of conditions laid down in the Sanads themselves. These, as Your Highnesses will see aggravate the nature of violence done to our rights, firstly, because a Sanad is imposed without the consent of a State greatly curtailing its powers, and secondly, because the Local Governments put upon it an interpretation to suit their own views and thus are all earlier engagements and assurances disregarded. It is, I submit, Your Highnesses due to a complete misunderstanding of the original relationship and under these circumstances, I beg to urge that it is high time that well defined principles be laid to do away with such infringements and the grievances of the States removed.

With these remarks I beg to support the resolution.

His Excellency the Viceroy: Your Highnesses will, I am sure, excuse me from expressing an opinion at short notice on this Resolution involving as it does difficult questions of fact and law, but the fact that I offer no personal opinion does not preclude me from saying that I have listened attentively to what has fallen from Your Highnesses, and that I recognise the usefulness of the particular matter to which Your Highnesses have here drawn attention finding a place, as I hope, in the later discussions that will ensue on all these subjects, to which Your Highnesses are now devoting your attention. You have heard the Resolution moved and seconded and supported. Will those in favour of its adoption by the Chamber signify the same.

(The Resolution was carried unanimously.)

Agendum No. 11 (3) (Part 1).

Resolution by His Highness the Nawab of Bhopal, regarding the revision of the constitution of the Chamber of Princes, and enlargement of its powers.

His Highness the Nawab of Bhopal: Your Excellency: Your Highnesses: I desire to move that—

This Chamber is of opinion that the time has arrived to revise its constitution and to enlarge its powers.

The Resolution is purposely stated in very general terms in order only to sound the opinion of the Chamber. I hope it will be found to be favourable and I trust that the Resolution if adopted will meet with Your Excellency's approval.

This Chamber of Princes, I need hardly remind you, came into existence as a result of the Montagu-Chelmsford Reforms. It was a first attempt to associate the Princes in matters that affect them as a whole or affect them jointly with British India. Its functions are purely advisory. But even this very cautious measure was looked upon with disfavour by some. Critics have not been wanting to deride our efforts. But the question is, has the wisdom of those who founded this institution been justified by results? Has the Chamber fulfilled their expectations? Have we tangible results to our credit? Has our association in a body been

fruitful of results to our order? Has our co-operation been of benefit to the Political Department in shaping its policies, and in better understanding our views and sentiments?

Only one answer seems to me possible. Any one who has taken even a casual interest in our proceedings would agree that the Chamber of Princes has more than justified its existence. The thick volumes of our annual proceedings and the proceedings of the Standing Committee bear witness to the measure of our contribution to the common cause. We have in this Chamber, or through our Committee, or through the Committee of our Ministers, dealt with numerous questions which had been the source of friction between the Government of India and the States. I need only mention one or two, such as the question of Air Navigation and the rules relating to the employment of Europeans and others in our service. Other and more important questions are now under discussion and consideration, such as jurisdiction in railway lands, postal arrangements, etc. Then perhaps the appointment of the Indian States Committee was also an achievement of the Chamber? I need hardly labour the point. No fair minded critic can deny that within the nine years of its existence this Chamber has worked hard and earned recognition as a valuable limb of the Constitution of India. By whatever criterion it may be judged, whether by the number and importance of its achievements, or the variety of its interests, or the help it has rendered to the Government of India, its success cannot be denied.

(At this stage His Excellency the Viceroy vacated the Chair which was occupied by His Highness the Maharaja of Patiala (Chancellor).)

Our difficulties have been many. Till recently we had not even a hand in the shaping of our agenda. Even so, we have made good use of the Chamber and have established its utility.

In my opinion the record of the last nine years justifies a proposal that the powers and functions of this Chamber should be enlarged. I do not contemplate that the Chamber should in any way interfere with the rights of the Paramount Power. But, I think, we can legitimately claim for our mutual good to be more freely associated with all questions of policy affecting the States. I believe too that if the Chamber's constitution were revised and its powers enlarged, several of our Order who have hitherto more or less held aloof from any active participation in the Chamber's meetings might recognise that the time had come to abandon their policy of isolation. I make no claim to be a constitution maker but at least I may say that as increased powers would bring increased responsibilities, so conversely the increased responsibilities we are shouldering today merit increased powers to the Chamber.

As even more important reason for taking up this matter now is that the Constitution of British India is soon likely to be revised. Before this Chamber meets again next year, the Round Table Conference is expected to sit to plan the future constitution of India. The question of the reconstitution of this Chamber is bound to come up in the course of those deliberations, and our representatives should go to the Conference with clear ideas on this most important subject. It would simplify matters greatly if a scheme for revising the constitution and functions of this Chamber could be provisionally formulated before then.

It would be premature now to indicate the directions which our advance might take. These are matters to be considered after an opportunity for

discussion has been arranged. I will only say that we should like the Political Department to be associated with our deliberations.

His Highness the Maharaja of Patiala: (read by His Highness the Maharaja Jam Sahab of Nawagar); Your Highnesses: I beg to second this Resolution, so ably moved by my brother His Highness the Ruler of Bhopal. In our deliberations here, though there has been almost complete absence of impassioned oratory, I submit substantial work has been done. This Chamber has dealt with a due sense of responsibility and moderation with many very delicate questions. It has solved some of them even if the solution be only tentative. Others are in process of solution by way of finding a provisional working arrangement. But I say that, even if it had not done this large volume of constructive work, the Chamber could legitimately claim to have justified its existence, merely by having brought to the notice of His Excellency the Viceroy and the Political Department as also to the outside world, our views on the numerous questions which have come up from year to year.

We are grateful to this Chamber for giving us an opportunity of working together. It has done much to break down the isolation between individual rulers, which in my opinion did infinite harm not merely to our States but to the Government of India. There are still the outworn remains of jealousies between States and States, but I can conceive of no better way of turning such jealousies into picturesque historical traditions than by giving our Order, as members of this Chamber, an opportunity of showing that we are animated by a desire for common weal.

The critics who had questioned the wisdom of associating the Princes jointly in matters affecting their Order, have been effectively silenced, by the striking measure of success which our Chamber has achieved during the last nine years. No one is now likely to say that an institution in which the Ruling Princes of India can meet together, and discuss among themselves questions of policy, represents an experiment of dubious value.

Our claim to have the constitution of the Chamber revised with a view to enlarging its powers and functions, is, therefore, not unreasonable. It is based on the demonstrable and acknowledged success of the working of this Chamber. As His Highness the mover has said, it is not an attempt to encroach in any way on the authority of the Paramount Power or of individual States.

The necessity for the reconstitution of the Chamber is self-evident. I submit that in view of the excellent record of the Chamber in all the branches of its activities, the necessity for an enlargement of its functions and authority is equally self-evident. I have no doubt this Chamber will express its unanimous agreement with this point of view.

Again there is the Round Table Conference ahead of us, and it is only right that our representatives at that meeting should carry with them the knowledge that the members of this Chamber consider that with extended powers their assembly can play a worthy part in improving their States and thereby strengthening the British Empire. They must know too that the Crown as represented by Your Excellency considers their request to be reasonable.

I have great pleasure in seconding this Resolution.

His Highness the Maharaja of Dewas (Senior Branch): Your Highnesses: I rise to support the Resolution. The demand which we are voicing to-day is that the Chamber should be given additional powers and

that its functions should be enlarged. Even a casual observer of present day movements cannot fail to notice that these are days of collective activity. In the general tumult of political combats, individual opinions, however reasonable and however logically expressed, get but little chance of acceptance. It is the collective voice of interests and communities that weighs with people. The Princes of India represent one of the most important interests in the Empire but their importance would be lost sight of, I might almost say ignored, unless they speak as an Order, as an organised body. The Chamber with all its limitations has enabled us to do that during the last few years, but in the new India that is to come, the limited character of the Chamber's interests and activities would act as a great handicap in representing the point of view of the Princes. This is an important reason which makes this Resolution one of great urgency.

(At this stage His Excellency the Viceroy resumed the Chair.)

Your Highnesses, it is unnecessary for me to speak any thing about the good work that this Chamber has done. Those who preceded me in speaking on this Resolution have spoken at length on that question. I need only say that considering the value of the work done, the sobriety, moderation and good will with which important problems have been tackled, and more than all, by voicing the feelings of the Princes on questions that arise in their relations with the Paramount Power and in their contact with British India, the Chamber has rendered a great and important service to the Empire; and it is but right that an institution which has so far justified itself should be entrusted with greater powers.

With these few words I support the Resolution.

The Pant Sachiv of Bhore: Your Excellency; Your Highnesses: Looking to the importance of the resolution I wish to say a little in a way to support it.

It is now ripe time to revise the constitution of this Chamber. It was set up in the year 1921. The time and circumstances under which this Chamber was established have undergone a vast change. Old ideas have passed away giving place to new, so the constitution of this Chamber necessarily requires a change befitting the present changed times. Even the Butler Committee remarks "The Chamber may not as yet have fulfilled all the expectations formed of them: their decisions do not bind the Princes as a body, or individually—there have been criticisms of the rules of procedure".

The present Chamber has passed its period of infancy as it is now ten years old. Quite naturally it must pick up strength and power according to the advanced age. It was so long a mere advisory body and in the fitness of things it was right to be so in its infancy; but the same state of things cannot be expected to continue for ever. Now the Chamber must give up its mere advisory character and take up some responsibility. In simple terms, I may say that the voice of the Chamber must be effective.

To assume the responsibilities described above, the Chamber must necessarily undergo development in form. It must become a thoroughly representative body of our order; and to secure that end the present body must be enlarged. It must be accessible to still more Princes to whom it is not open for one reason or the other. The present criteria of permanent membership must be changed, and the admission based upon certain liberal principles, should depend upon the merits of individual cases.

If the present Chamber be enlarged by the inclusion of more Princes, there is no need of apprehension that the interests of the bigger and smaller States will in any way conflict with each other. Everyone will try to safeguard the interest of the Chamber as a whole and thus in my opinion the Chamber will get additional strength which is urgently required under the present circumstances.

The present Chamber is also criticised that it is not so attractive as it is expected. This can be inferred from the very fact that out of 120 members the attendance ranges generally from 30 to 35 every year. This defect can be removed to a certain extent if the changes suggested above be made in the present constitution of the Chamber.

With these few remarks I offer my whole-hearted support to the resolution.

His Highness the Maharaja of Bikaner: Your Excellency; Your Highnesses: I have only a few observations to make in supporting this resolution. If I am not considered immodest, may I say that, as one who was privileged to play some useful part in the institution of the Chamber of Princes, and as its first Chancellor for five consecutive years, I am naturally a firm believer in the benefits accruing to the Imperial Government as well as to the States from this Chamber. Critics may say what they like; but as His Highness of Bhopal has just said the advantages accruing to the States—and I trust the Imperial Government also—from this Chamber are by no means unimportant or unsubstantial—even in circumstances at time adverse and discouraging, and even with its very limited scope and field for really substantial work. We gratefully recognise that during Your Excellency's Viceroyalty you have given every support possible, and evinced your sympathy with the Chamber in an unmistakable manner—particularly by your liberalizing the rules and removing totally unnecessary restrictions as regards the Chamber Agenda, which at one time almost amounted to a farce in that Princes were expected to come in large numbers all the way to Delhi to discuss such subjects as horse breeding, and agricultural statistics, etc. I therefore join in expressing the earnest hope that, before long, it may be possible for the Constitution of the Chamber of Princes to be revised and for its powers and functions to be enlarged so that it may fulfil the original object and expectations for which it was inaugurated.

It would be unsuitable today to take up the time of the House by examining critically, or alluding in detail to, the various reforms proposed for the Indian States in Chapter X of the Montagu-Chelmsford Report, as agreed to, and announced with the approval of His Majesty's Government, by Lord Chelmsford, when he was Viceroy. I also hate using a phrase which, perhaps by careless and frequent application in political agitation in this country, has lost some of its importance and significance; but I fear that there is no other term that can more appropriately be applied than to say that the manner in which almost each and every one of the Reforms regarding the States, agreed upon, and given effect to, as the outcome of the proposals contained in the Montford Report have been whittled down since 1918.

Thus, though the Constitution of the Chamber lays down, amongst its other functions, that the Chamber shall be entitled—

- (1) to make recommendations relating to the preservation and maintenance of Treaties, and of the rights and interests, dignities

and powers, privileges and prerogatives of the Princes and Chiefs, their States and the members of their families ; and

(2) to deal with matters of Imperial or common concern ;

and though the Chamber was designed also to bring to the notice of the Viceroy and the British Government the wants of the Princes and States collectively and the disabilities as well as the claims of the Princes and States, it is an open secret that several resolutions fulfilling the above conditions have in the past been arbitrarily disallowed to the detriment of the interests of the Princes and States.

An inexplicable policy seems also to have been enunciated and followed since a few years ago, by which matters relating to the Forces of our Indian States were not allowed to come up before the Chamber. The Armies of our States are maintained for a dual purpose :—

(1) Service to our beloved King-Emperor and the Empire, particularly for the defence of India ; and

(2) the internal security of our States.

And yet, though it is open to all States to join in the liberalised Scheme—thanks to a policy of greater sympathy relating to our Forces—and though it is indisputably the right and proud privilege of every single State and Ruler of a State in India, big or small, to contribute their quota, according to their resources, in the service of the King-Emperor and in defence of the Empire, as well as for purposes of the maintenance of law and order in their States, matters appertaining to our Indian States Forces have not been permitted to come before the Chamber.

As for the Standing Committee, I will only mention one or two instances. The inordinate delays that ensue, and the number of times that the Summaries regarding Political Practice are returned to the Standing Committee have for long been a matter of complaint to us ; and Your Excellency yourself was pleased to refer the other day to the Summary on the subject of Capitalists and Financial Agents, which has hung fire for no less than 10 whole years, and which, on the objections of Provincial and Local Governments, and on account of the points raised by the various Departments of the Government of India, has been frequently referred back to us.

One of the first things we took up, in regard to revision of Political Practice, was the Summary relating to the acquisition by Princes of residential property in British India with particular reference to the Presidency Towns, in September, 1919. I do not know if any of my brother Princes on the Standing Committee recollect the point ; but I have a very clear recollection that on a question from one of us—I think perhaps by His Highness of Alwar—the Political Secretary informed us that the “ restrictions ” and “ objections ” regarding Princes acquiring such residential property will only be those as are decided upon in consultation with the Standing Committee ; and yet, after this revised Summary having been referred back to us several times, imagine our astonishment, Sir, in finding in the Resolution of the Government of India a clause *leaving carte blanche to the Bombay Government “ to impose others ” (conditions) “ in accordance with their previous practice in cases where they are concerned ”.*

In this connection, though I have not all the papers with me here, I will cite my own case when I bought a house in Bombay. In order, however, not to be misunderstood, I must make it absolutely clear that I have nothing to express but sincere gratitude for the most sympathetic manner in which the late Governor of Bombay, Sir Leslie Wilson, dealt with the question and was

good enough to meet my points. But, with all his sympathy, and that of the Bombay Government, it was many months after the purchase that the deed of purchase was allowed to be actually registered by the Provincial Government—an unwarrantable interference and handicap, which do not apply even to the meanest British Indian subject in Bombay or elsewhere—and that too after a happy compromise in regard to certain conditions proposed by the Provincial Government.

One of the conditions, on which emphasis was originally laid according to the procedure in force in that Presidency, was that although this house was bought entirely for my private use and not for any State purposes, and although I had purchased this house entirely from my Privy Purse funds, it should be a State house—a strange thing when it is desirable that every Ruler should have his Privy Purse separate and defray his personal expenditure therefrom; and if the Ruler bought the house with his private money he cannot be expected to allow his State to have any claims on it.

The original Resolution of the Government of India regarding Commissions of Enquiry was shortly afterwards modified in direct contravention of that Resolution—involving, I submit with all respect, nothing less than a breach of promise—which subject has already been taken up by Your Excellency at our request with the Standing Committee; whilst the Resolution regarding Courts of Arbitration is practically a dead letter. And in regard to joint deliberations between the States and British India, no progress whatsoever has been made, nor any procedure or machinery devised during these twelve long years.

I will only deal with one other point and that is simplification of political relations so far as the States, such as those of Rajputana and Central India, are concerned, and for the other States, originally in political relations with the Provincial Governments, being taken in direct political relations with the Government of India. The proposal originated while I was Honorary General Secretary to the Princes Conferences before the Chamber and the office of Chancellor came into being. Immediately after the acceptance of the Montford Reforms regarding this and other matters, a change of policy, and an attempt at retraction from the proposals publicly announced was clearly perceptible. Your Excellency's remarks on this subject in your opening address the other day will doubtless cause disappointment to such States, as are still in provincial relations. or to some, like us of Rajputana, who are suffering from the admitted handicaps and serious drawbacks of having more than one political intermediaries before matters relating to us can reach Your Excellency and your Government in the ordinary course of events—though, it is a matter of consolation to us to feel that, in common with other Princes from all other parts of India, we have the right of direct access to the Viceroy, which we greatly value.

To quote only three small extracts, this is part of what the distinguished authors of the Montagu-Chelmsford Report said on this subject:—

“We recommend that as a general principle all important States should be placed in direct political relations with the Government of India.”

“We feel that the necessity of communicating with the Central Government through two or even more intermediaries is an obstruction to good understanding and a great obstacle to business.”

“That there should, whenever possible, be only one Political Officer through whom the States would correspond with the Government of India.”

It is the irony of Fate that we of the Rajputana States, who have all along been supposed to be in direct political relations with the Government of India are still suffering under these serious difficulties and disabilities, whilst the States newly taken into direct relations, who originally had their relations with Provincial Governments, such as those of the Punjab, Western India and Madras, have been afforded the benefit of only single intermediaries.

I need hardly say that there is nothing personal whatsoever in my observations; and if effect is really given— which we hope may be found possible at some date before very long, and we are grateful to Your Excellency for leaving the door open—alive are concerned with is that there should be only a single intermediary between us and Your Excellency, *viz.*, either the Agents to the Governor General or the Residents and Political Agents. I will not dilate further on this subject; but the mere fact that in the case, for instance, of Western India and the Punjab, the affairs of a large number of States in each case could be handled by a single intermediary, *viz.*, Your Excellency's Agent, shows that there are no insuperable difficulties as regards Rajputana and Central India.

In the reforms which we hope will be given effect to in the near future and in the negotiations on the subject, we hope that it may be possible to take up such questions which are ardently desired by many Princes.

His Highness the Maharaja of Alwar: Your Excellency; Your Highnesses: I rise to support this resolution in connection with the constitution of the Chamber in order to enlarge its powers and also its utility. But before embarking on that larger enterprise I am going to refer to one or two of the vital necessities relating to the internal organisation of the Chamber. In the first place I think that we would do well by having a clock placed inside the hall in order to enable us to see how long we have spoken, or how long we ought not to speak, and in that respect I mentioned to Your Excellency last year that, with your permission and with the permission of the House, I proposed to present one, which I am concerned is not ready this year but which I hope would be ready next year.

The second question is of a bell. I saw a wonderful arrangement in the Bundesrath (now the Reichsrath) in Berlin where there was a bell that rang in front of the particular member speaking in case he became too vociferous; the Chairman was able to press a button and a light first came giving him five minutes, and then, if he continued, a bell rang which produced such a noise that in any case the speaker felt more inclined to sit down. Yesterday, very nearly this purpose was fulfilled because a bell did ring—I think it was a division bell in another House,—but it nearly had the same effect on the eloquence of this House. Another bell could also help to summon back from the lobbies the members who go here to end their discussions in smoke.

The third proposition I have to put forward is this, and it has been inspired in my mind from what I understand is the procedure in the Oxford Union. There, in that unique institution of which Your Excellency knows much more than I do, there is a proviso that during elections any body who canvasses is outcasted and is not allowed to have a vote. That would be a splendid institution to inaugurate in our Chamber. Your Highnesses, I am not moving a resolution on the subject; I am but ventilating my own opinion. While it may be parliamentary to have a large amount of canvassing for votes, I am not so certain that it is equally princely, and I would dearly like to see—even if my suggestion is not valiantly supported—that the

proposition that I put forward may be considered by the House at least in their own minds if not publicly.

Now I come to the larger issues of the constitution. I cordially support the resolution that has been moved on this subject, and duly supported. I am going to concentrate on two points only, in connection with the Montagu-Chelmsford Report. In that connection a resolution has been passed by the Government of India laying down certain principles for the occasions on which commissions of enquiry may be offered, and the rules and terms by which they may be guided. If certain circumstances have occurred which necessitate alteration of this resolution— I will enter into no further detail— I sincerely trust that Your Excellency and your Government may be pleased to put the new points before the Chamber for further discussion thus enabling them to put forward their opinions for your consideration.

The second question that I wish to concentrate on is regarding the suggestion made in the Montagu-Chelmsford report, regarding the subject that His Highness the Maharaja of Bikaner has already referred to—the relations of the States with the Government of India. This report in paragraph 310 states: "Our two remaining proposals bear a direct relation on our constitutional scheme for British India. We recommend that as a general principle all important states should be placed in direct political relations with the Government of India. We feel that the necessity of communicating with the Central Government through two or even more intermediaries is an obstruction to good understanding and a great obstacle to business." Without wearing Your Excellency and Your Highnesses I should like to quote two or three more sentences from the same paragraph for they make definite suggestions. They say: "Now, on general grounds, the relations between the States and the Government are clearly a matter for Central Government. It seems to us that the changing conditions of the times afford a strong reason for affirming this principle both because the institution of a Council of Princes will give greater solidarity to the views of the States, and also because the growth of responsibility in provincial governments will to some extent unfit them to act in political matters as mere agents for the Government of India." (Hear, hear.) And then in order further to elucidate their own point they are careful to state "that we do not intend of course that the Durbar should write direct to the Political Secretary, but that there should, wherever possible, be only one political officer through whom the State would correspond with the Government of India. It will be necessary to revise the existing arrangements by which correspondence passes through a local political agent or resident to an Agent to the Governor General or a local Government, and thence to the Government of India." Then suggestions are made that in such cases—which relate principally to Rajputana, Central India and Bihar and Orissa—their correspondence should take place through an Agent to the Governor General with the Political Department, or through a resident with the Political Department. Your Excellency in one of the debates was pleased to say that you were surprised that a certain question had taken ten years to fructify. This question is also one of those moved at the conference which led to the appointment of the Codification Committee which first discussed with the Political Secretary and then ultimately with Mr. Montagu and Lord Chelmsford certain schemes about our future now over 10 years ago. I may say, speaking on behalf of myself and those who are of the same opinion as myself, that it is an irony of fate that while the question was originally started in Rajputana, this principle of direct political relationship has already been achieved and is functioning in the Punjab

States, in the Western India States, in the Madras States, and in other provinces. We of course welcome this, and we are glad of it. So far as a layman's knowledge outside the inner precincts of the Political Department is concerned, we understand that both are mutually satisfied, but in the case of Rajputana States the problem has been simmering with various suggestions until finally it came down to the proposition that Eastern Rajputana should be made a Residency and placed in direct relationship with the Government of India. This proposition was moved before us by Lord Reading in the presence of His Highness the Maharaja of Bikaner. His Highness the Maharaja of Dholdpur and myself and the Viceroy definitely told us—I believe both Their Highnesses who are present will vouchsafe for it—that during his four months sojourn in England he had discussed the subject with the Secretary of State, and that they had come to the conclusion that if this change was accepted by us it would be brought into effect forthwith. I remember that His Highness the Maharaja of Bikaner at that time wished that he might also be included in the Eastern Rajputana States Agency. This proposition was telegraphed, and a reply was received, which was circulated, but unfortunately one of the princes principally concerned, in whose State the Agency is at present located, objected to the scheme. After that we have had conferences, and we have unanimously come to the conclusion that we would very gladly welcome the change of having the Eastern Rajputana States made a Residency and placed in direct relation with the Government of India for the purpose of political correspondence. This scheme has now also been on the tapis for some years. Your Excellency was pleased to announce in your opening address that the question had been put aside for the present. We are thankful that it has not been finally decided to the contrary, but nevertheless I would like to press forward the point to Your Excellency, who, I hope, will transmit our views also to His Majesty's Government and the Secretary of State. We are asking really for no very great monumental change. Our whole object, and I assure you that there is nothing sinister behind it, is the simple proposition that we want the work facilitated so that our papers and our correspondence and our work may proceed through one intermediary direct to the Government of India. Surely, Your Excellency, this principle has been openly accepted by the Montagu-Chelmsford report. In it he who drafted it has very ingeniously separated the question of direct relations from that of simplification. He I know has been the principal opponent of the scheme. But nevertheless the act is really perfectly simple. With the changing times all we want is that our States should be placed in such a position that we shall be in communication with the Viceroy who, we hope, will deal with the Indian States as distinguished from the Governor General in Council, which is a much larger question, and one with which I am not dealing here. In such contingencies it seems to me vital that all Indian States, at any rate those who wish it, should come into direct political relations (wherein I include the simplification of the political relation), with the Government of India, in order that we may have one source through which policies may emanate, one source to which we may go in the time of our difficulties, in the time of our necessities for taking counsel and advice. I earnestly hope, therefore, that while the question has been delayed, it will be taken up again, and not too long ahead to be finally favourably decided. We should be grateful to feel that a very simple proposition has enabled us to feel contented and we shall be able to carry on our political relations with greater expedition and with even greater harmony, for when we have Political Resident to deal with through whom we can communicate our views to the Government of India, I hope it is logical to say that it is more than probable

that there will be greater expedition and also greater harmony. In these terms, I cordially support the resolution that has been moved.

His Excellency the Viceroy : Your Highnesses : I am not competent to express an opinion about what I may term the utilitarian proposals that fell from His Highness of Alwar in the earlier part of his speech. I asked myself, as he spoke, whether the Chamber would in fact be willing to delegate the powers of the warning bell, etc., exclusively to the Viceroy, and if they were so willing I felt disposed to commiserate with the Viceroy who would have to decide against whom he should put the bell, etc., in operation. Nor do I desire to express an opinion at this stage upon the general question that might be held to arise out of this resolution as to the wider problems involved in the future constitution and powers of the Chamber as we now know it. I only intervene for the sake of making one very simple observation which I think I am bound and entitled to make in justice to the Political Department, and that is to vindicate the Political Department to some extent from the charge that might otherwise, as a result of what Your Highnesses have said, lie wholly against them, of responsibility for delay in the present working of our system of the Standing Committee. I think Your Highnesses who have served on the Standing Committee will be the first to admit that it has not been unusual from time to time for the Standing Committee themselves to express a desire that a certain question should be postponed or omitted, and that for the delay for which that has been the cause—the responsibility does not lie on the shoulders of the Political Department. My duty now is to put the resolution formally to Your Highnesses that this Chamber is of opinion that the time has arrived to revise its constitution and to enlarge its powers. Those in favour will signify the same.

(The Resolution was carried unanimously.)

PROCEEDINGS OF THE FOURTH DAY (AFTERNOON).

February 28th, 1930.

Agendum No. 11 (4).

Appointment of an expert body to explore the fiscal claims of the States.

His Highness the Maharaja of Kashmir : Your Excellency ; Your Highnesses : I have the honour to move the following Resolution :—

“ This Chamber requests His Excellency the Viceroy to appoint an independent expert body to explore the fiscal claims of the States after ensuring that the personnel and terms of reference are settled in agreement with the Standing Committee of this Chamber.”

The Indian States Committee itself has made this recommendation and we are not therefore asking for anything new. All we ask is that the Committee should be appointed as soon as possible and that the Chamber should be consulted as regards its personnel and its terms of reference. The necessity of making this Committee independent, and composing it in such a way that its decisions are impartial, is obvious. It would have to deal with questions both intricate and technical and would have to decide matters of grave concern to both British India and ourselves. It is undeniable that in the past, revenues derived from the departments of general public utility in this country have been retained by British India, no share being given to the States. That legitimate share is long overdue and we are naturally anxious that there should be no delay in creating this expert committee upon which the views of British India and of the States should be adequately represented.

There is another important point, which, is, that the terms of reference should be such as would include all fiscal and financial questions which we regard as at issue between us and British India. Originally the Indian States' Committee recommended that the terms of reference should be enquired into—

- (1) The reasonable claims of the States or group of States to share in the customs revenue.
- (2) The adequacy of their contributions to Imperial burdens.

Later the Indian States Committee appear to have taken a broader view and they recommended that “ the reasonable claims of these States under other heads could also be considered ”. I would beg that the terms of reference should be such as to cover the entire field of economic conflict between British India and Indian India.

I would commend this resolution to Your Highnesses for unanimous acceptance.

His Highness the Nawab of Bhopal : Your Excellency ; Your Highnesses : The Resolution, which I have the honour to second, is, as Your Excellency knows, in accordance with a recommendation of the Report of the Indian States Committee.

It gives me no pleasure to have to attack that Report, but I am constrained to do so. The Committee in my opinion have reported in a very casual manner

on the issues given to them to deal with in the second of their terms of reference, namely—

“ to enquire into the financial and economic relations between British India and the States, and to make any recommendation that the Committee may consider desirable or necessary for their more satisfactory adjustment ”

The headings of the paragraphs in part IV of the Report shew the wide field covered by the representations which we addressed to the Committee supported by a voluminous and most carefully prepared record. Nothing could well be more summary than the manner in which our closely argued contentions have been for the most part set aside. As to Salt they merely say “ We are not prepared to recommend any revision of arrangements which on the whole have worked well ”; as to Opium “ we are not in a position to make any recommendation in regard to the Opium question ”; as to Customs “ we have no doubt that Customs duties are not transmit duties ” (a view which they say, though we can find no authority for the statement, was “ entirely accepted by Sir Leslie Scott.”), and even assuming that in the course of discussion he did accept it—I am afraid, we do not) and again “ on principle we hold that British India is fully entitled to impose maritime customs for the purposes of India as a whole ”.

This being the position, we have no alternative but to approach Your Excellency to appoint as early as possible a really expert independent committee (that is to say an entirely separate Committee) to examine the whole of these questions *de novo*. In respect to this proposal the Committee and the Princes, I am glad, are of the same opinion.

Your Excellency, I second the Resolution.

His Highness the Maharaja Jam Sahab of Navanagar : Your Excellency ; Your Highnesses : I rise to support this resolution. In my humble opinion, the claim put forward by the Princes is eminently reasonable. They simply ask that very early action should be taken on a recommendation regarding which there does not exist any difference of opinion any where. The Indian States Committee have been good enough to recommend that both with regard to the personnel of the expert body and with regard to its terms of reference, this Chamber should be consulted. The necessity for such consultation is obvious. Our interests are vitally involved in the subject matter of the inquiry, and equity and policy alike require that we should be consulted before the inquiry is undertaken.

The scope of the inquiry is a matter of great importance. The Committee will have to go into all financial matters and not confine themselves to one or two such questions as the States' right to share in customs revenue or adequacy of their contribution to Imperial burdens. We are anxious that there should be a full and equitable adjustment of our present financial claims and that principles should be laid down which would ensure automatic adjustment in the future. The Princes are convinced—whether for adequate reasons or otherwise,—that the economic interests of their States have not been taken into consideration when the fiscal policies have been conceived and made applicable to all India. They are further convinced that the financial policy of British India has either cast burdens upon their States, which are heavy and unjust, or has diverted from them, revenues to which they are legitimately entitled.

There is another equally cogent reason why early relief should be made available to the States in this matter. Geographically speaking, some of

the most fertile soil is under British India. One may explore events in history and ask whether annexation in the past was a favoured policy when barren tracks or sandy deserts were concerned. My submission is that soil in the Indian States is, on an average, of a lower quality than that in British India. Heavy calls for improvements in various departments, especially the Nation-building ones of Sanitation, Education, Irrigation, Medical Relief, etc., are being made and will be multiplied as the times advance, and the progress of the States will depend on the equitable settlement of financial matters, regarding which they hold that they have a legitimate grievance.

The Princes have not been able to appreciate the justice of their States and subjects being laid under contribution for the benefit of British India. These questions required to be thoroughly enquired into. It is equally clear that in such an inquiry the States should be properly represented. Their representatives should sit on the Committee of Enquiry and their nominated witnesses should appear before it. That is all that we request.

I hope that the Resolution will meet with the approval of this Chamber.

The Pant Sachiv of Bhore : Your Excellency ; Your Highnesses : I feel great pleasure to support the resolution regarding the appointment of a fiscal Committee in connection with the Indian States Committee Report.

The necessity and importance of the expert Committee to examine and explore all the fiscal items need no explanation. The object of the Committee is of so vital interest to every one of our order that both the Princes and people who are real well-wishers of the States, have been very keen and eager for many years past to see that such Committee should have been appointed long ago. But unfortunately, for one reason or the other, it did not receive as much support as it ought to have done from the responsible quarters, and hence the idea remained in embryo so long. But fortunately the winds are blowing favourably at present and so we have every hope that the idea will soon assume the form of reality.

The urgent need of such a Committee is admitted and even recommended by the Butler Committee which remark on the importance of the question thus : " On all sides we found demands for better and more expensive administration. These demands originate with the desire of the Princes themselves, the claims of their subjects and the impact of rising standards from adjacent territories of British India."

The field of inquiry is so vast and intricate that even the Butler Committee has recommended that the matter should be left to be dealt with in all its aspects by an expert body. The Committee should be impartial and should not be prejudiced in any way by the recommendations of the Butler Committee. Of course the personnel and the terms of reference should be settled after the approval of this Chamber. The important point that I should like the expert Committee to keep before them is that in making recommendations, it should avoid any invidious distinction such as smaller and bigger States, salute and non-salute Princes, permanent and non-permanent members, etc. For it creates unnecessary uneasiness in the minds of the rulers of smaller States and finally the disadvantage resulting from such invidious distinctions goes to the weaker side and thus it becomes a source of jealousy among the Princely order. The principle of avoiding invidious distinctions between smaller and bigger States in extending the benefit arising out of the adjustment of fiscal revenues was admitted and appreciated by some brother Princes like His Highness the Maharaja of

Bikaner and by **His Excellency the Viceroy**, when the resolution to exempt the Princes who have salute of 21 or 19 guns from customs duties was moved in this Chamber. In short the recommendation should be applicable to all the States according to their reasonable and inherent claims.

The present times demand modern machinery of administration to be introduced in the States big and small alike, but it is not a cheap commodity. It requires an adequate cost to be paid. So additional sources of income must therefore be necessarily found out to meet the required demand. Therefore the income that will accrue to the States by the readjustment of the fiscal policy will be utilised in meeting the increased cost of administration and in advancing the moral and material progress of our States. So the fear that has been entertained by some of the leaders in British India is groundless and in order to clear the doubts expressed by them, a resolution to that effect has already been passed in the meetings of the Chamber at Bombay. The income that will be derived from re-adjustment of the fiscal policy will be of greater use—especially to the smaller States whose sources of income are very limited and are not likely to be improved.

There will be another problem of a more complicated nature before the expert Committee. It is regarding the distribution of the revenue-share that will be allotted to the States. The principle of distribution should either be on the basis of population or consumption or both, as the case may be ; but as it is a technical question I need not go deep into the matter ; the expert Committee should better solve the problem.

With these few observations I feel great pleasure to give my full support to this important resolution.

His Excellency the Viceroy : It is scarcely necessary for me to make any observations on this Resolution except perhaps to say that I appreciate the importance all Your Highnesses attach to this particular matter, and that I myself, as everybody else, recognise the work that must be done in some form in this field, in relation to the wider considerations that must come under discussion during the next few months. Financial and economic matters like this concern very closely all the Rulers—in fact the whole society, or any political organisation—and if and when the time comes for dealing with these matters by an expert body which Sir Harcourt Butler's Committee have recommended, and which Your Highnesses have stressed in your speeches this afternoon, I may certainly say that it would be the desire of myself and, I have little doubt, also of His Majesty's Government, that that task should be approached in the method of consultation as to the terms of reference and so on, to which those of Your Highnesses who have spoken have directed themselves. I will not say more than that now, because I am at present a little uncertain in my mind as to whether Your Highnesses on reflection would feel that the most appropriate time for the appointment of a Committee such as this should be immediately or whether it might not perhaps be more profitable to await the report of the Statutory Commission in order to obtain guidance as to the more particular directions in which such an enquiry should be pursued. That perhaps is a matter that the general body of the Chamber would be prepared to leave in the hands of the Standing Committee for such further consideration as they might think fit in consultation with myself. Subject to these reservations I would put the Resolution to the Chamber in the form in which it appears on the paper. Those in favour of the Resolution that has been moved and seconded will please signify the same.

(The Resolution was carried unanimously.)

Agendum No. 11 (5) (Part 1).

Resolution by His Highness the Maharaja of Bikaner regarding the definition of the bases of intervention in the internal affairs of the States.

His Highness the Maharaja of Bikaner : Your Excellency ; Your Highnesses : The following is the Resolution, which I beg to move :—

“That this Chamber considers that the time is now opportune for defining, by joint consultation between the nominees of His Excellency the Viceroy and those of this Chamber, the bases of intervention in the internal affairs of the States.”

This Resolution was, of course, drafted before Your Excellency's reference to the subject in your inaugural speech last Tuesday ; but although we shall doubtless experience some difficulties if, as we hope, effect is given to this Resolution by Your Excellency, we felt that the subject is of such tremendous importance that every possible avenue must be explored—at least to simplify and clarify matters ; and that an attempt must be made to define the doctrine of intervention, not on the basis of the recommendations of the Butler Committee, but after joint deliberation with the representatives of the Princes. If, after such consultation between the nominees of Your Excellency and those of this Chamber, it is found impossible to define the bases of the right of intervention, or to come to a satisfactory conclusion, we shall at least have probed fully into the question and each done our best. As Your Excellency will, I feel sure, further agree, nothing but good has come in all cases where we have discussed questions in a frank and friendly manner with the object of arriving at a solution, or at least a compromise—honourable and fair to all concerned.

The principle, namely, of contractual necessity—not any vague Imperial necessity—as the correct test of the occasion for intervention, which we had urged was easily intelligible—could easily be understood by the Princes and their people as well as by the British Government. The Butler Committee failed to make the position at all definite and rest content with that confession of their inability when they remarked that ‘paramountcy must ever remain paramount’. It was a Council of despair. But we are not without hopes that, even if our efforts during the proposed consultation are not entirely successful, we shall make some satisfactory advance on the present state of affairs ; and if we can even lay down in what cases there should be no intervention, that will be something gained.

There are instances forthcoming—I fear, not rare—so far as the past is concerned, of interference even with the private, family and domestic affairs of Rulers. Heirs-Apparent of Rulers have been placed in a position of even exercising veto and control over the actions of their fathers, who have not abdicated, but who have been the unfortunate victims of circumstances and at times panicky and hasty action ; and thus the impossible has been attempted, viz., setting up two Sovereigns in one State, just as it is impossible to put two swords in one scabbard.

It was a matter of frequent occurrence some 20 to 30 years ago, and I fear not unknown in recent times, when Prime Ministers and the other Ministers of States have been supported by the Political Officers and encouraged to act against and insult their Ruler.

Cases are not wanting—dating back not to antiquity—when Political Officers have interfered or attempted to interfere, in support of rebellious

or otherwise guilty Nobles of our States, regardless of the inherent rights and susceptibilities of their Sovereign Rulers. Indeed, about the time when I came of age, a veteran Political Officer expounded to me the strange doctrine that his policy always was—be it noted that it was not the declared policy of the Paramount Power, but the personal policy of an individual Political Officer—invariably to support the State against the Nobles during periods of minorities and, similarly, invariably to support the Nobles against their Rulers immediately the minorities cease! This *obiter dictum*, regardless of rights and wrongs needs no further comment. It has been within my experience, soon after I came of age, to have been forced during my early days to dismiss proved and loyal men—who had served the State for a great many years, without the slightest enquiry or investigation or without the slightest opportunity being given to such loyal and deserving officials a single chance of repudiating the allegations made against them by intriguers in our States, or the charges preferred against them by such Political Officers—because the Political Officer held the view that they were “mischievous” men and “did not mean well in the least”.

We have had official letters of enquiries addressed to me and to my Prime Minister asking for explanations and even for files on petitions submitted to the Resident at Bikaner regarding even Police Jamadars and Constables against their dismissal by the Departments concerned and such matters.

We have been asked, on account of a petition similarly to the Resident from the gardener at Gajner, to furnish explanation of what the case was about; and we have had a letter from the Political Officer who was in those days accredited to our State asking why the butcher, who was a Bikaner subject, but who supplied meat to the Residency, had been dealt with in some matter according to the law and recognised practice, usage and custom of the State. The “explanation” of my Government was actually demanded by the Resident in regard to the most heinous offence of our failing to supply a camel sowar required for the benefit of the domestic menials of the Residency; and ultimately, we were threatened by the statement that it was fortunate that the “explanation”—in effect of course a reply—sent by my Political Department had “arrived in time to render it unnecessary for” the Political Officer “to take any further steps in the matter”!

When, shortly after my coming of age, in 1902 I tried to inaugurate a system of Administrative Reforms and to introduce almost the identical Secretariat system following by the Government of India themselves, I first had great difficulty in getting the Political Officers, whom under the then conditions I had to consult, to agree to this scheme, which was a distinct improvement on the old system carried on during my minority—which worked very well and which is still in force, and for years afterwards, I was pestered with questions and asked to “furnish” “reports” as to the manner in which the system was working—as if it was a totally strange and untried and dangerous Administrative Scheme which we were resorting to.

In 1904.—when like members of a Criminal tribe asking for leave of absence, Princes were required to take permission before leaving their states—I was in indifferent health, and I had proposed to proceed on a purely private and informal visit to Bombay for a change. But I actually received a letter from the Resident advising me to defer my visit for another 10 days as the Agent to the Governor-General could not anticipate the orders of the Government of India twice asked for, and because the delay showed that there may be some difficulty. My health was not of course taken into account in the

least. Later I was graciously informed that there was "no objection" to my proceeding to Bombay. In the meanwhile, I had however dared the Political authorities to arrest me or stop me forcibly from going to Bombay, as of course I intended carrying out my original programme.

I trust that I am not digressing too much if I express the hope here that during Your Excellency's Viceroyalty a change may be effected whereby questions relating to the Princes and States, instead of being viewed from the standpoint of whether or not there was any "objection," would be viewed with the single aim and object of meeting the reasonable demands of the Princes and States for safeguarding their legitimate rights and interests, and making the Princes' and States' position more secure and more happy, and thereby enabling the States to make more marked and rapid progress all round further strengthening the relations that exist between the Crown and the States which have stood the test of the fiery ordeals of great wars and rebellions and have proved that the Princes and States are whole-heartedly inspired with the single object of being true to their Treaties and obligations and worthy of the high position they are privileged to occupy as "perpetual Allies and Friends of the Crown".

Some references have already been made to this most important and intricate subject in the general discussions which took place when the Resolution thanking Your Excellency for the appointment of the Butler Committee was moved yesterday; and for my part I think I cannot do better than quote a relevant extract from a speech I made on this very subject the other day in the Bikaner Legislative Assembly:—

"In the very nature of things the Princes and their Governments realise that there must arise occasions where intervention by the Crown, as the Paramount Power, is rendered inevitable. All that the Princes desire is that intervention, when rendered unavoidable, shall not be arbitrary, or based on inaccurate or one-sided reports, and that it must be resorted to not only with the greatest reluctance, but after the most deliberate and sympathetic consideration by the Viceroy—as the Representative of the Crown—of the case of the Ruler or State concerned, and furthermore that such intervention must be resorted to for the sole purpose of the furtherance of the interests—present and future—of the Indian States and of the general Order of the Princes themselves—as Lord Irwin himself stated in His Excellency's speech in the Chamber of Princes in November, 1926."

I am sure, and I am confident, so are my brother Princes, that nothing is farther from the policy or intention of Your Excellency personally and the present Political Secretary than that intervention should in any case be arbitrary; and we are grateful to Your Excellency for your assurance that the unpalatable task involved in intervention or interference is resorted to only with the greatest reluctance. One of the most important things that is urgently called for is that the Prince and his Government concerned should have the fullest opportunities of making their representation on the subject; and if, as we hope, such consultations as are contemplated under this Resolution lead to some further details being satisfactorily worked out in this connection also, it will be one of the additional advantages of our jointly examining the question.

As I said yesterday, policies and political practice are often liable to change with a change of the Viceroy or the Political Secretary, and in some

cases, even with a change of the Political Officers accredited to our Courts. And unfortunately sad cases have in the past occurred involving not only humiliation to the Ruler concerned, but often—however benevolent the intention—grave injustice and irretrievable harm to the dignity and prestige and, indeed, the entire career of the Ruler. These cases sometimes place the British Government in a most embarrassing and unenviable position, specially when they recognise later on that their action was hasty and arbitrary, at times based on one-sided reports and versions; but matters often are then found to have gone too far to permit of a satisfactory and honourable settlement, and on consideration of prestige and other grounds, it is too late to rectify the wrong done.

It will be easily realized that Intervention, and the result of the action taken after Intervention leading to the deposition, or abdication, of the Ruler concerned, means at times the extinction of the public career of a Ruler and amounts to his political death. As a parallel I might cite the instance of a man wrongly hanged for murder, and if it is afterwards discovered that the man was innocent, it is too late to bring the unfortunate person back to life.

As in the case of Treaties, so in the case of Intervention, there have been two distinct schools of thought practically ever since our entering into Treaty relations with the British Government. In the case of Treaties some urged that Treaties were dead letters and therefore may be violated or ignored. Others attached importance to plighted word and the good faith and the honour of Great Britain. Similarly some authorities were emphatically against non-intervention, while some favoured intervention. But I trust that I shall not be considered to be irrelevant, or out of order if I give a few extracts from what has been said by some of the highest and most eminent British Authorities of the past in regard to both Treaties and Intervention which in some cases are inter-dependent or difficult to separate.

In regard to Treaties, the following 4 extracts will I trust be sufficient for the purposes to-day :—

(1) *Extract from Sir John Malcolm's 'Instructions to his Assistants.'*

"On all occasions where they are referred to, treaties and engagements should be interpreted with much consideration to the Prince or Chief with whom they are made. There is often, from opposite education and habits, much difference between their construction and ours of such engagements; but no loose observation, or even casual departure from the letter of them, ought to lead to serious consequences, when it appeared there was no intention of violating the spirit of the deed, or of acting contrary to pledged faith. When any article of an engagement is doubtful, I think it should be invariably explained with more leaning to the expectations originally raised in the weaker than to the interests of the stronger power."

(2) *Extract from Lord Auckland's Minute on the Orchha Case, dated 2nd January, 1842.*

"I cannot, for a moment, admit the doctrine, that because the view of the policy upon which we may have formed engagements with native Princes may have been by circumstances materially altered, we are not to act scrupulously up to the terms and spirit of those engagements."

(3) *Extract from Lord Hastings' Pronouncement to the Nawab of Karnatic.*

"A treaty plighted the public faith of the nation, so that it must be my duty to maintain its terms according to their true spirit, which ought always to be construed most favourably for the party whose sole dependence was on the honour of the other."

(4) *In referring to the internal independence and autonomy of the States the Marquis of Hastings again recorded in his Journal as long ago as the 1st February, 1814, all over 116 years ago :—*

"This formidable mischief has arisen from our not having defined to ourselves or made intelligible to the Native Princes, the quality of the relations which we have established with them."

"In our treaties with them we recognise them as Independent Sovereigns. Then we send a Resident to their Courts. Instead of acting in the character of Ambassador, he assumes the functions of a dictator ; interferes in all their private concerns ; countenances refractory subjects against them ; and makes the most ostentatious exhibition of this exercise of authority. To secure to himself the support of our Government, he urges some interest which, under the colour thrown upon it by him, is strenuously taken up by our Council ; and the Government identifies itself with the Resident not only on the single point but on the whole tenor of his conduct. In nothing do we violate the feelings of the Native Princes so much as in the decisions which we claim the privilege of pronouncing with regard to the succession to the Musnud. It is supposed that by upholding the right of primogeniture we establish an interest with the eldest son which will be beneficial to us when he comes to the Throne He, too, will in his turn have to feel our interference in the succession as well as in minor instances. With regard to the latter it might be argued that some interest of the Company is always really involved. The simple existence of such an interest is not the true question. What should be considered, is, whether the matter be of a proximity or magnitude to make the prosecution of it desirable at the expense of the disgust and estrangement which you sow by the procedure."

Even Lord Dalhousie, than whom any more zealous upholder of the rights of Paramountcy is difficult to imagine, while admonishing the Resident at Hyderabad for his proposal to intervene on alleged maladministration, remarked—

"But so long as the alleged evils of His Highness' Government are confined within its own limits and affect only his own subjects the Government of India must observe religiously the obligations of its own good faith. It has no just right to enter upon a system of direct interference in the internal affairs of His Highness' Kingdom, which is explicitly forbidden by the positive stipulations of treaty, which would be utterly repugnant to the wishes of the Sovereign and is unsought by the people over whom he rules."

In the passage on which the Butler Committee rely, the circumstances in which intervention would be warranted have been detailed—a very different thing from leaving the right of intervention wholly dependent upon

the individual discretion of the Political Officer. The Committee moreover, have really propounded a new doctrine; they have suggested an extension of the scope of intervention beyond what the Government of India themselves have claimed so far. They contend that the right to intervene may be exercised in the interest of India as a whole, and even in order to suggest changes in the traditional forms of administration in case of popular agitation. These are really new principles and new claims. They are dangerous principles, for they make intervention dependent upon circumstances over which a Prince may have no control. To take one case—extreme, but not inconceivable—would popular agitation in India in favour of the substitution of the form of Government in which the Prince was to be excluded from all effective participation in the Government of his State, supported by agitation within the State, instigated from British India justify intervention? Surely our traditional institutions and usages cannot be exposed to changes demanded by uninformed caprice and clamour—often by persons noisy in the extreme but really either in the minority, or not really representative of the *various* classes and communities, of the *bona fide* subjects of the States. The risk is not fanciful, for no one can prophesy how far popular agitation in India against Indian States—much of it based on misconception or even malicious misrepresentation—may go, and what changes in our policy it may demand. A popularised Central Government in British India, even though it may have no concern with the Princes, could, and is bound to influence indirectly, perhaps, but substantially the discretion of future Viceroys. Even if intervention has a less drastic purpose, *e.g.*, to ensure co-operation in a matter of interest both to British India and the States, would not a popularised Central Government have a position of substantial advantage over the States in influencing the decision of the Viceroy?

British India is more vocal than ourselves. The Provinces have been v. eiferously clamouring for greater provincial autonomy, more freedom from interference by the Central Government and less restrictions upon their own authority. They ask for a gift of new rights. The States ask for a restoration of their original status, what actually belonged to them. If the British Indian Legislatures and Provincial Governments are to be invested with greater autonomy, so as to minimise intervention with their administration from the powers that be, the States have a greater justification in claiming for a restoration of their own original internal autonomy, so as sufficiently to safeguard it from encroachments in the near, or distant, future. Such a happy consummation will bring in its train substantial political and other advantages of the highest mutual importance which are obvious. Moreover—what, comparatively speaking, is of no small consideration—it will conduce to the peace of mind of all concerned and to the increased efficiency of our respective work in the task of administration, untrammelled by unnecessary interruptions and worries and anxieties, so far as the relations of the Crown and the States are concerned.

The extreme importance as well as the urgency of the matter must be my plea for inflicting myself on Your Excellency and Your Highnesses at such length to-day for which I tender my apologies.

His Highness the Nawab of Bhopal: Your Excellency; Your Highnesses: I have been privileged to second the Resolution moved by His Highness the Maharaja of Bikaner. I will do so as briefly as I can, speaking from the point of view of to-day and not of the possibilities of future years.

Perhaps a simile will best serve my purpose. Imagine a man plagued with general indisposition which gives him a feeling of discomfort showing

itself in many different ways. His doctor will administer some palliative to give relief to his immediate symptoms, but must diagnose and treat the real cause of his malady to cure him. So it is with the Indian Princes. All of us are attacked more or less seriously and more or less frequently with discomfort in the form of intervention, the results of which may vary between a general feeling of uneasiness and occurrences of acute irritation. An individual who complains may get relief in a particular instance; but that is not going to benefit others and even with him the evil may recrudescence at any time. We have, however, this advantage over the sufferer of my simile. We know what is the matter with us and that our trouble is one of the evil results which follow from a mis-application of the doctrine of Paramountcy. To take my simile a step further, one of the chief exponents of that doctrine (Sir William Lee Warner) wrote of it that "Its extent is wisely left undefined". Surely that is a very dangerous element when, as now, the application of that doctrine in respect of the exercise of intervention is so often left to the discretion, or in other words to the idiosyncracies, of individual Political Officers. When a highly drastic remedy is invented, medical practice does not leave it to be experimented with by general practitioners, but hedges it round with the clearest instructions as to the purposes for which and the methods by which it is to be applied. Even an expert will not lightly deal with a case of such a kind. He will surely welcome association with other opinion to help him to arrive at a sound and correct conclusion; nor will he overlook the immense advantage to be gained by securing the confidence of the patient. Give us confidence with regard to intervention, and we shall be satisfied.

The Indian States Committee to whom we had looked to improve matters in this respect have unfortunately failed to do so. "Imperial necessity and new conditions may at any time" they say "raise unexpected situations". And consequently they opine "Paramountcy must remain paramount; it must fulfil its obligations defining" (mark that word) "or adapting itself according to the shifting necessities of the time and the progressive development of the States". This latter allusion, I assume, prompts the Committee to assure us that "the States need not take alarm at this conclusion". But how can we fail to take alarm at a view which overlooks the limits set by ancient and solemn treaties and placidly contemplates an oncoming tide whose encroachments are to adapt themselves "to the shifting necessities of time"? The analogy suggests quicksands to my mind. The future would indeed be dark if "on paramountcy and paramountcy alone can the States rely for their preservation through the generations that are to come". Thank God, we stand instead on the firm rock of our treaties and the good faith of the British Nation.

We Princes recognise that in some very exceptional cases and on a basis of mutual consent the intervention of the Paramount Power in the internal affairs of an Indian State may be justified; but only then would any deviation be permissible from the implicit right of the Princes, which is embodied in the treaties of many States including my own, that they, the Princes, are and shall remain "absolute rulers of their country and the jurisdiction of the British Government shall not in any manner be introduced".

This Resolution, if given effect to, will also serve a most useful purpose in putting an end to the persistent and petty infringements of our rights by individual Political Officers. Such infringements can be summed up by describing them as "unwarranted interference", whatever the motives or reasons underlying them may be. I am sure that few, if any, Political Officers in these days regard the States as potentially hostile or consider many of them

to be misgoverned ; not do I believe that any would wittingly allow themselves to be swayed by personal likes or dislikes in respect of an individual Ruler. I attribute such action on their part to indiscretion due in the main to misconceptions as to what their own duties are, which lead them to imagine that their function is generally to supervise the administration of States to which they are accredited. Only so can I explain to myself the attempts which are made from time to time to dictate to a State a particular course of action which may seem to be Political Officer best in circumstances so far as known to him to call for information as to such circumstances and even to ask to be shewn the record of cases under trial in the State Courts ; or again to receive applications from State subjects and forward them to the State for inquiry or explanation, and even to institute private inquiries into the actions of a Ruler or his officials.

These are not imaginary cases. Instances will be forthcoming under all these heads from the history of most States and they by no means complete the list. While, therefore, I gladly acknowledge that there have been and are many Political Officers whose official and personal relations with Rulers and their Governments have been cordial and helpful, and that the British Government have generally been sympathetic and considerate, I believe that the appointment, as proposed in this Resolution, of a Joint Committee to deal with this subject will be advantageous to the British Government as it will be to the States. Should it succeed, as I am confident that it would, in laying down a definite policy which, consistently with our treaty rights and obligations, would remove this cause of friction and misunderstanding and give us confidence, a great service would have been done to the cause of the Indian States as well as to the cause of the Empire.

Your Highnesses, I second the Resolution.

His Excellency the Viceroy : Your Highnesses, the two speeches to which we have listened have been delivered with great frankness and have been full of interest, and I should like if I may—I feel constrained to make one or two observations in regard to them—to congratulate those who have delivered them upon the ability with which they have marshalled their observations. I made myself a few observations on this question in my opening speech to which I do not desire to add anything material, and which I think represent my general feeling on this very difficult question, and I intervene for a moment or two now rather for a different purpose. I think that there is perhaps a certain danger that if the matter is left at the stage at which the discussion has been brought by the two speeches to which we have just listened, there may be some danger of the public obtaining an incorrect perspective of the problem, which should be as much regretted by Your Highnesses as it would be by myself. His Highness the Nawab of Bhopal, in seconding, said that he was proposing to apply himself mainly to the situation to-day, and His Highness the Maharaja of Bikaner would admit that, in proposing, he in part applied himself to the position of yesterday, and I could not help reflecting that the implication of a part of his speech moving the resolution would be that the political officers and the rulers were perpetually at loggerheads.....

His Highness the Maharaja of Bikaner : That was not my intention.

His Excellency the Viceroy : I need hardly say that I myself am proof against such a misconception. I am only seeking to protect the public who might be left to wonder how any system open to such difficulties could work at all. While both His Highness the Maharaja of Bikaner and I would no doubt agree that there might be occasions on which political officers, or for that matter rulers, might say or do a thing that we, wiser than they, should

prefer to have said or done differently, yet I am sure that none of Your Highnesses would contest the statement that the relations of rulers with political officers, and the relations of political officers with the rulers, had been, in the main, one of mutual respect and mutual friendship, and that each officer and the ruler with whom he served had probably a long period of friendship to their credit. That brings me to the general observation that I would make.

I think it is important in considering this matter to keep our eyes fixed upon the realities of the problem. I do not for a moment contest the Nawab Sahib's view that it is of great importance to the Princes to seek as close a definition as possible of the bases of intervention. On the other hand, I would ask him to draw what seems to me a moral full of significance from the actual situation as pointed out in Sir Harcourt Butler's Report in paragraph 37 in which the cases of intervention during a period of 10 years are enumerated, and as anybody can see who looks at the paragraph where the facts are set out in their own fortunately very insignificant and limited proportions. I have yet to learn of a well-administered State which has ever had cause to complain, within our own working time, of unreasonable intervention by the representative of the paramount power. I speak no doubt from a different angle from that of Your Highnesses in this matter, because I speak as one who is responsible for the advice given to the Crown on this matter of intervention, and I can assure Your Highnesses what you will be very ready to believe, that there is no part of the Viceroy's duty to which he devotes more anxious thought, or which causes him a greater measure of disquiet and anxiety, than the cases,—the border line cases,—of the rights or the desirability of intervention.

It is commonly said that intervention should be closely defined, and should be, as far as possible, divested of any discretionary element. With that as an academic principle many might be disposed to agree but I would ask Your Highnesses to bear in mind that the kind of case that we all have in mind, that of extreme mis-government or extreme financial embarrassment leading to mis-government, does ultimately involve,—and it is as well that it should be recognised—a discretionary action. The Viceroy, when any such cases arise, has to say to himself "Is the degree of financial embarrassment in this State such that unless it is checked it will lead to gross mis-government, and will lead to all the evils that will follow from that?" and therefore it is, in my judgment, impossible to suppose that, whatever the plan you adopt to regulate the relations of the Paramount Power with the Indian States, you can ever wholly get rid of that discretionary reserve of judgment that has, to be allowed in the person of the King's representative. I do not know that I should have been moved to make these observations had it not been for one observation that fell from His Highness of Bhopal in which he said, discussing this very point, that he thought that in very exceptional cases and on a basis of mutual consent intervention might be justified. With all respect to him I do not think there is ever likely to be mutual consent, because my whole case is based on the assumption that there would be so grave an instance of mal-administration that the mal-administrator would be the last person ever likely to consent, and therefore I am afraid that the Nawab Sahib in that respect is advancing an ideal which in this imperfect world we can hardly hope to attain. Your Highnesses know sufficiently my mind, and you know sufficiently the minds of my predecessors, to feel sure that intervention—while it must, as I think, retain that discretionary element for which I have argued—is resorted to only in the rarest possible cases, and that it is with the utmost distaste, utmost reluctance and unwillingness, that resort is had to it, and, therefore, while I proceed to put the motion to the Chamber, and while I should be willing to go as far as I possibly can with Your Highnesses in examining the

general grounds on which, in mutual consultation, the purposes of the resolution might be examined, I feel bound to make it plain, in justice to what I conceive to be my responsibility and in justice to what I also believe to be Your Highnesses' purposes that, as far as I can see, there is a real difficulty in an attempt to reduce to a narrow legal definition matters that in some of their aspects, for the reasons that I have given, must always continue to retain a discretionary element.

His Highness the Nawab of Bhopal : Your Excellency : With Your Excellency's permission I wish to make a few remarks in order to give a personal explanation regarding points to which Your Excellency has been pleased to refer. What I stated was that Political Officers have been our best friends on the whole, but not all of them, and it is these unfortunate exceptions who have done the damage. Moreover, interference also comes many times on the verge of intervention, which is avoided by the Princes giving way. Sir Harcourt Butler did not include in paragraph 37 of his Report quoted by Your Excellency these instances of interference, which have always been our constant trouble. Moreover, what I said and remarked was that if means could be found to define and lay down the principles of intervention, by mutual consent, I have very hope that a solution would be found which would be acceptable to both parties.

His Excellency the Viceroy : The motion before the Chamber is that this Chamber considers that the time is now opportune for defining by joint consultation between the nominees of His Excellency the Viceroy and those of this Chamber the bases of Intervention in the internal affairs of the States. Will those in favour please signify the same ?

(The Resolution was carried unanimously.)

Agendum No. 11 (6).

Resolution by His Highness the Maharaja of Alwar regarding the relationship of the States and the Crown.

His Highness the Maharaja of Alwar : Your Excellency ; Your Highnesses : The Resolution that I am about to move, and which has been tabled to my name, was dealt with before I was even chaired to the Standing Committee, and even before I attended the first meeting of the Princes in Delhi. But I have gladly taken it up for one sole reason which I hope will come out at the end of what I have to say. The subject of Paramountcy is indeed one of extreme delicacy, and also of importance, to discuss publicly. But the discussion has been inspired by certain statements that have been made in the Report of the Indian States Committee which we are discussing to-day. Paramountcy and intervention are very closely allied subjects, for it is by a correct understanding of the meaning of the term of paramountcy that we can appreciate what is involved by intervention. The Butler Report, which I refer to as such for the sake of brevity, begins on page 13, paragraph 18, by stating that "the 'Paramount Power' means the Crown acting through the Secretary of State for India and the Governor-General in Council who are responsible to the Parliament of Great Britain. Until 1835 the East India Company acted as trustees and agents for the Crown ; but the Crown was, through the Company, the Paramount Power. The Act of 1858, which put an end to the administration of the Company, did not give the Crown any new powers which it had not previously possessed. It merely changed the machinery through which the Crown exercised its powers".

Now with regard to the latter sentence I have grave doubts, for if you look on page 75, there is an extract from Queen Victoria's Proclamation, which is practically the charter for the Indian Princes and their relations, and which says :—

“ We hereby announce to the Native Princes of India that all Treaties and Engagements made with them by or under the authority of the Hon'ble East India Company are by Us accepted and will be scrupulously observed, and we look for the like observance on their part.”

I need not read the remaining portion, but I cannot understand that the East India Company were merely agents of the Crown in those days, and that the Crown should have taken over from its own agents responsibilities and duties, therefore it seems to be fairly obvious that the East India Company was, as has been evident in history, a trading concern, although it may have had connections with British Government in various ways! After 1858 Her Majesty Queen Victoria definitely took over the responsibility of the Treaties and that Proclamation lays the obligations on us with equal emphasis. We then go down to the next page 16 where the pronouncements of the Paramount Power on Paramountcy are related in paragraph 24. This is the paragraph that I read out yesterday also.

“ The Paramount Power has defined its authority and right to intervene with no uncertain voice on several occasions, such as in the Baroda case.”

This is really a question of Intervention more than of Paramountcy; although, as I have said before, they are closely related. Here it was the stronger Power wielding and exercising its administrative capacity in relation to another Power which was of a weaker nature. But does that in itself really establish the claim and the authority of the right to intervene?

I should have thought personally that that is a weak point by which to test the authority of the Paramount Power to intervene and certainly the instances quoted in paragraph 24 come not very long after the Proclamation was issued. The third reference made in connection with the subject is when the Report discusses in paragraph 43, page 25, the relationship between the Paramount Power and the States. And the Report argues—

“ What then is the correct view of the relationship between the States and the Paramount Power? It is generally agreed that the States are *sui generis*, that there is no parallel to their position in history, that they are governed by a body of convention and usage not quite like anything in the world. They fall outside both international and ordinary municipal law, but they are governed by rules which form a very special part of the constitutional law of the Empire. Some sixty years ago Sir Henry Maine regarded their status as quasi-international. Professor Westlake regarded the rules which regulate their status as part of the constitutional law of the Empire. A similar view was expressed by Sir Frederick Pollock, who held that in cases of doubtful interpretation the analogy of international law might be found useful and persuasive.”

I hope the House will show me indulgence for quoting this paragraph in full. Then the Report goes on to discuss the opinions of several lawyers. There is one from Sir Henry Maine, one from Professor Westlake, and one from

Sir Frederick Pollock, and many more could be added (including Lee-Warner and so forth). But in discussing this point finally the Report on page 31, in paragraph 57, lays down—

“These are some of the incidents and illustrations of Paramountcy. We have endeavoured as others before us have endeavoured to find some formula which will cover the exercise of Paramountcy, and we have failed, as others before us have failed, to do so. The reason for such failure is not far to seek. Conditions alter rapidly in a changing world. Imperial necessity and new conditions may at any time raise unexpected situations. Paramountcy must remain paramount, it must fulfil its obligations, defining or adopting itself according to the shifting necessities of the time and the progressive development of the States.”

These are the main points referred to in this Report which we are discussing to-day in connection with the very delicate but all important subject that is before us.

Now, what are the States in connection with which it is necessary or it is asked that certain formulæ should be found? They vary in a tremendous degree one from the other. For instance there are 38 Treaty States; then there are States with alliances; there are States with Sanads, with Engagements, with Agreements and some without any. Take my Treaty, for instance, and why I take this opportunity to refer to it to-day is purely for the reason that all Treaty relations are really with individual States. Why we have failed in the past to discover any common formula arising out of the position of the States is because the Treaties were not entered into with the States as a corporate body but individually and in the same manner therefore, without arriving at the correct position of each State, one has to fall back to the basis, which is the Treaty. And while I do not want to tax the patience of the House by reading out my Treaty in detail, it consists of five short Articles: the first of mutual friendship between the Company and the Ruler; the second saying that the friends and enemies of the Company will be the friends and the enemies of the Ruler and *vice versa*; the third that the Company will not interfere with the country of the Ruler; the fourth that the Company in the event of any enemy evincing a disposition to attack the State will help; and the fifth that in case of difficulties arising within the State the State may demand aid from the Company's Government.

Now as far as this treaty is concerned there is no particular reference there to Paramountcy. There is a very happy relation of mutual confidence. While on this point I should like to make this perfectly clear, I do not think that there is anybody in this Chamber or outside it that would contest the opinion that is so well known to us all, that the British Government as Representative of the Crown is by far the predominating Power while Indian States in comparison are almost specks in relation to the great British Empire,—far flung, where the Sun never sets. But here we are discussing the Treaties, their rights and their obligations, and so it is mainly in connection with the terms and phraseology that difficulties begin to arise,—that is, where these terms and phrases when they come to be interpreted in different ways bring difficulties into prominence. I personally think that there is no misconception about the mutual positions, there is no misconception about the Crown or any of the functions of the Crown in relation to the States. I believe that misconceptions arise, when terms and phrases—not mutually accepted, not mutually discussed—are laid down even by lawyers. And after all, the

business of a lawyer—with all due deference to that noble profession—is to put forward the views of a particular party that gives it authority to define a certain thing. I am perfectly certain that when a lawyer is given a case on behalf of a defendant, he would make out an extraordinary strong one, which is as it should be. But supposing he should have been given the case of the other side, I am equally certain that he would make out an equally strong case for that side. But I do not think that it is really necessary to have a lawyer, —with all due deference, as I have already said before, to their distinguished knowledge,—to interpret simple Articles of Treaties which have been laid down from the time when we had the good fortune to come into political relations with the Company and afterwards with the Crown. Therefore in discussing this question where the difficulty arises mainly is where terms come to be applied. Now with regard to the Indian States, some have been called “vassal States”; we have been sometimes called “feudal States”; we have been at other times called “independent States” and sometimes also “Sovereign States”. At times while some have gone to one extreme, others have gone to the other. It is in these matters of terms and phrases that misconceptions and difficulties have arisen, and after all it is through these that some times actions have been based on wrong basis. Therefore the Resolution that I am moving to-day lays down:—

“That this Narendra Mandal places on record its considered opinion that the true relationship of the States with the Crown is founded upon—

- (a) Treaties and Engagements which bind parties, and
- (b) Usage which is established by mutual consent.

This Narendra Mandal is therefore of opinion that the obligations of the Crown and the States arising under the two aforesaid heads remain unaffected by the doctrine of Paramountcy referred to in the Indian States Committee's Report.”

Now, Your Excellency, Your Highnesses, I believe, as I have already said, that Paramountcy is closely allied to Intervention and *vice versa*. The Resolutions that have been moved before and now are very closely connected with one another, for Paramountcy without the right of Intervention would be almost meaningless and so Intervention without a correct understanding of Paramountcy would be certainly difficult to explain. In connection with this one subject, the most important thing seems to me—and really it is not very difficult—is to explore the past history of the Indian States' connection with the Company say for the past 50 years, and to evolve certain broad principles out of this period indicating different heads of Intervention. Having come to definite conclusions—which will not be difficult—then we would like the British Government to consult in confidence those concerned and take their views. I feel certain that if this is done a great deal of the smoke and cobwebs that hang round one's vision, that hang round one's brain, will have to a great extent cleared.

With regard to Treaties our position is perfectly clear. With regard to usage, as I have said, we accept gladly such usage as has been established by mutual consent. The difficulty has been where in some cases such usage applied to one State is then applied to another, and that becomes the general principle without any of the States knowing exactly what the principle is behind the action. It is in such cases of doubt and difficulty that the right of intervention is sometimes not willingly accepted. When the British Government claims “Paramountcy” I should like to know what is the converse side

of it? If you state the word "suzerainty"—"award" which applies to the feudal times—what is the converse side of it? If you apply "sovereignty", the converse side is "subordination". I think everybody will admit that the relations of the Crown with the Indian States, as referred to in the Butler Report, have no parallel in the world. It is a very delicate relationship, and personally I think a very happy relationship. I am not one of those who says or believes or contests that the British Government should completely take their hands off and have no connection with the States at all. I think our destiny would then find its own level. The proposition that I am putting forward is one of clear definition, that is of clear understanding, and one I feel that will bind us more closely together after this decision is reached. At any rate it will enable us to work in even greater harmony than that which exists at present. I think that in a record of 100 years I am prepared to pay the highest compliment to the good sense of the British character and the British mind in dealing with the Indian States. There have been propositions and questions of difficulty, but I believe in any State or in any connection of any kind whatsoever such difficulties must always arise. Supposing the British Government took their hands completely off the plough, the law of nature is such that other powers would intervene—I do not mean Foreign Powers—whereby the so-called liberty that we seek would be very promptly and perhaps rudely curtailed. So, Your Excellency and Your Highnesses, the Resolution that I commend for your acceptance is one which in my opinion will to a great extent go to allay the suspicions and difficulties that are in our minds. Your Excellency, believe us that we genuinely and sincerely do not wish to weaken the hands of the Crown and its Representative, because it is through that that our Treaties are safeguarded and will be safeguarded in the future. All we ask—and I do not maintain that it has been done—in return is, do not weaken our hands also, so that if not for time eternal at least for a long time to come, our mutual relations may continue to be of the same happy kind as they have been in the past and our relations with the Crown may continue to be of pride to ourselves and of glory to British Government. I conclude with one remark the statement that I have made, and the Resolution that I am moving and commending to Your Highnesses for your acceptance. Paramountcy, or no Paramountcy correct definition or no correct definition, we are the pledged friends of the Crown and of England. Happen what may, come what may, you will find that we remain the pledged friends [and allies] of the Crown and the British Government.

His Highness the Maharaj Rana of Dholpur : Your Excellency ; Your Highnesses : After a brilliant speech by His Highness of Alwar in moving this resolution there is hardly anything left for me to add. To begin with I lack His Highness' silvertongued oratory, and I cannot attempt his philosophic expositions.

To me, broadly speaking the position urged in this resolution seems both clear and accurate.

We have entered into treaties and engagements, which imply mutual rights and obligations.

We look upon them as sacred promises and we will stand now, and I hope for always, by these engagements. We refuse to think and believe that Britain will do anything else. As such, we maintain, and I am sure Your Excellency's genuine and sympathetic statesmanship will also support our contention, that those mutual obligations under treaties and engagements can only be affected supplemented, or amended by the mutual consent of both the parties concerned

This being the equitable basis of our relationship with the Crown, it may be asked where does paramountcy arise from. Before, however, I attempt to answer this question I wish to make my position clear.

Paramountcy or no paramountcy, our attachment and devotion to His Majesty the King-Emperor's person and throne transcends all other considerations, and it seems to me to be an insult alike to the Indian Rulers and to the basis of British connection to suggest that our loyalty is prompted by the doctrine of paramountcy, and is not due to the spontaneous sincerity, and loyalty to His Majesty and his Empire—the binding seal of which has been put from time to time when we have been comrades in arms and friends and allies in peace.

With this enunciation of our position I think the real import of paramountcy resolves itself more or less into an academic question, but it is obviously in the interest of States as also of the British Government that as far as possible the basis of our mutual rights and obligations should be defined.

Your Excellency, from a practical view point the suggestion which I have made should present no difficulty. Whenever rights and obligations have been assigned to the British Government or to the States under our treaties and engagements, supplemented by mutual consent they are and should be admitted on both sides, and present no difficulties. Anything not covered by this, in the form of residuary power, may vest in the Crown in external matters, and, in the States in matters of internal sovereignty.

Where however, some important and urgent interests of India or the Empire demand that certain further discretions may be left with the British Government in matters ordinarily reserved for internal sovereignty, it should not be difficult for Your Excellency's nominees and our representatives to sit together across a friendly table in a spirit of constructive cordiality, to evolve a working arrangement, beneficial and lasting to both.

Your Excellency will, I am sure, bear me out that whenever and under whatever momentous circumstances in the past such co-operation has been requested of the States, we have always tried our best and given willing and ready response, and I have no room for doubt that we shall similarly continue to do so in the future.

The only question is how the matter is approached. With a truly sympathetic and friendly Viceroy like Your Excellency, we may have no suspicious misgivings and nothing to fear now. But, who knows what may be in store in the future constitution of India? Then, more than now, it will be of supreme and very far-reaching importance in the interest of the States, no less than Greater India and the Empire, that all such issues should be clearly defined.

Your Excellency, personally I have always had most cordial relations with the various political officers, but, may be, the experiences of some of my brother Princes in the Chamber may be different.

In such matters personal equations must play a great part, and I therefore think it is necessary and in fairness to all that the position be clarified. It will then undoubtedly lead to mutually good-willed co-operation and to the lasting benefit of all. With these remarks I beg to second this resolution, with a personal appeal to Your Excellency to lend it your sympathetic and powerful backing.

His Excellency the Viceroy : I put before the Chamber the resolution that has been moved by His Highness of Alwar, and seconded by the Maharaj Rana of Dholpur in the form that appears on the paper. Will those in favour signify the same by raising their hands ?

(The Resolution was carried unanimously.)

His Excellency the Viceroy : I propose to Your Highnesses that we should now adjourn, and perhaps it might be convenient to meet tomorrow at half past ten. This will give us a little more time in the morning.

This concluded the business of the day.

PROCEEDINGS OF THE 5TH DAY.*March 1st, 1930.*

The following Ruling Princes and Chiefs were present :—

Kashmir.

His Highness the Maharaja of Kashmir.

Central India.

The Rao of Alipura.	His Highness the Raja of Narsingarh.
His Highness the Maharaja of Charkhari.	His Highness the Maharaja of Panna.
His Highness the Maharaja of Datia.	His Highness the Raja of Rajgarh.
His Highness the Maharaja of Dewas	His Highness the Maharaja of Rewa.
(Senior Branch).	His Highness the Raja of Sitamau.
His Highness the Raja of Jabua.	

Rajputana.

His Highness the Maharaja of Alwar.	His Highness the Maharawal of Dungarpur.
His Highness the Maharaja of Pikaner.	His Highness the Maharao of Kotah.
His Highness the Maharaj-Rana of	
Dholpur.	

Punjab States.

His Highness the Nawab of Bahawalpur.	His Highness the Raja of Mandi.
His Highness the Maharaja of Kapurthala.	His Highness the Maharaja of Patiala.
His Highness the Nawab of Malerkotla.	His Highness the Maharaja of Simur.
	His Highness the Raja of Suket.

Western India States.

His Highness the Maharaja of Navanagar.	His Highness the Raj Sahib of Wankar.
His Highness the Maharaja of Porbandar.	

Bombay.

The Nawab of Balasinor.	His Highness the Maharaja of Kolhapur.
The Raja of Bansda.	The Raja of Unawada.
The Pant Sachiv of Bhor.	His Highness the Maharaja of Pajpipa.
The Chief of Jamkhadi.	His Highness the Chief of Sangli.

Bihar and Orissa.

The Raja of Talcher.

Punjab.

The Raja of Baghat.	1 The Raja of Kalsia.
---------------------	-----------------------

United Provinces.

His Highness the Raja of Tehri (Gahwal).

Sikkim.

His Highness the Maharaja of Sikkim.

Agendum No. 11 (5) (Part 2).

Resolution by His Highness the Maharaja of Bikaner regarding the doctrine of Usage and Political Practice.

His Highness the Maharaja of Bikaner : Your Excellency ; Your Highnesses : I now rise to move another Resolution allotted to me, viz. :—

“ That this Chamber is of opinion that the doctrine of Usage and political practice, as expounded by the Indian States Committee, is neither sound in its conception nor fair in application to the relations subsisting between the Crown and the Indian States. That doctrine has in the past been the cause of serious and unjustifiable encroachments upon the internal sovereignty and autonomy of the Indian States which are recognised in solemn Treaties, Engagements and Sanads.

A course of practice followed with respect to individual States by the Political Department of the Government of India in certain eventualities, which has neither been consistent nor uniform, or to which from time to time exception has been taken by the States concerned, or which arose during minority, joint administration or any such interregnum, when the Government of India held the position of trustee with respect to the States concerned, cannot afford any bases for intervention by the Government of India to the prejudice of the acknowledged rights of the States.”

On every question of importance, whether or not there are provisions in our treaties, which the Butler Committee agree are of continuous and binding force, usage is quoted in support of some course of action which conflicts with our claims. Now the questions which naturally arise are :—

- (1) What is this usage ?
- (2) How did it originate and what has been its age ?
- (3) Is it governed by definite principles based on law and equity ?
- (4) Had the States agreed to it or had a voice in it ?

As it is now enforced, it is difficult to answer these questions.

The Resolution which I commend for the acceptance of this Chamber does not deny the validity of usage. All that is contended is that unless the particular usage which is quoted as authority, fulfils the conditions I shall attempt to enumerate, it cannot be considered as valid usage. With Your Excellency's and Your Highnesses' permission I shall refer in some detail to these conditions which are most important.

First, the States contend that a usage, unless it has been consistently and uniformly followed over a considerable period, has no validity at all. The mere fact that on one occasion a Ruler allowed a case to be decided in a particular manner or agreed to it, does not of itself create a usage. I will make my meaning clear by means of an example. Let us suppose that a Ruler asked the advice of the Resident, as his friend, on one occasion about the appointment of a Prime Minister and that the Resident's advice was followed. That by itself does not create a valid usage under which the Paramount Power could claim that on all future occasions the Resident's advice should be sought before appointing a Prime Minister. Nor can any such matter apply to, or bind, the other States.

As regards the claims of age or antiquity, the usage complained of could not have been older than the British Rule which is by no means ancient.

Secondly, even continuous usage does not create any right if the Ruler concerned submitted to, or accepted, the practice under protest or compulsion. Usage is valid only so long as the consent of the Princes whom it affects is forthcoming—and willingly forthcoming. When a Ruler protests against a particular practice, or is forced to do something under unusual circumstances against his inclination or better judgment, obviously he is not a consenting party, and the usage ceases to be valid.

The third condition is equally important. Any usage which goes against the express provisions of a treaty can have no binding force.

Usage can be allowed to grow up only when the treaty itself has made no provision. When the treaty or any other formal agreement, by which the relationship of any particular State to the Paramount Power is governed, provides in clear terms for such cases, usage can have no place. It is in this sense that the picturesque, but unconvincing, statement of the Butler Committee that usage lights up the dark places of the treaties is understood. When the treaties themselves are luminously clear there is no need for the rush-lights of usage.

The fourth condition is that no usage can be valid which grew up at a time when the Government of India, either owing to the minority of the Ruler, or owing to other circumstances, exercised internal control over the State. It is agreed on all hands that on such occasions the Government of India stand in the position of trustees. It is a clear and universally accepted canon of equity that a trustee cannot derive benefit at the expense of the beneficiary, however long he may be in possession as a trustee.

The second part of this resolution states that usage which developed owing to the local conditions of one State should in no case be considered binding on another, merely on the ground that usage is valid where it originated. I submit that this proposition has only to be stated to gain the acceptance of all reasonable people. Usage develops as a result of local circumstances. Such usage may be valid in the State in which it grew up. But it does not follow that its validity extends to another State, differing in the circumstances of its historical growth, of its treaty rights and of its methods of administration.

It is important to emphasize that in the framing of such "usage" and "political practice" the States had no voice. The Viceroy in their most formal pronouncements, as well as the Government of India and their Officers, in speeches and in writing, have on more than one occasion clearly admitted the validity of the claims of the Princes and States that they had no voice whatsoever in the framing of such "usage" and "political practice"; and they have equally clearly admitted that such "political practice" and "usage" have had a corroding influence upon the Treaty rights and the internal Sovereignty of the States.

On the 22nd September, 1919, Mr. (now Sir Robert) Holland, then acting Political Secretary to the Government of India, pointed out to the Princes' Committee at their very first meeting—the precursor of the present Standing Committee—that:—

"there had been in the past a constant development of constitutional doctrine under the strain of new conditions as the British Power had welded the country into a composite whole. That doctrine, and

for instance in the case of " (various matters) " had been superimposed upon the original relations of many States with the Crown, but had evolved in harmony with the needs of the Indian body politic and had not been inspired by any desire to limit the sovereign powers of the Indian Rulers. The Rulers' consent to such new doctrine had not always been sought in the past, partly because it was often evolved piecemeal from precedents affecting individual States, and partly because it would have been impracticable to secure combined assent within a reasonable period. It was admitted, however, that, while the justice and necessity of the new measures was clearly seen, their effect upon the treaty position was not appreciated at the time, with the result that a body of usage influencing the relations with the States had come into force through a process which, though benevolent in intention, was nevertheless to some extent arbitrary ".

Lord Chelmsford in his speech at the opening of the Princes' Conference on the 3rd November, 1919, made the following observations regarding the revision of political practice :—

" There is no doubt that with the growth of new conditions and the unification of India under the British Power political doctrine has constantly developed. In the case of extra-territorial jurisdiction, railway and telegraph constructions, limitation of armaments, coinage, currency and opium policy, and the administration of cantonments—to give some of the more salient instances—the relations between many States and the Imperial Government have been changed. The change, however, has come about in the interests of India as a whole and I need hardly say that there has been no deliberate wish to curtail the powers of Princes and Chiefs. We cannot deny, however, that the treaty position has been affected, and that a body of usage, in some cases arbitrary, but always benevolent, has insensibly come into being. Some of Your Highnesses have therefore asked that the Darbars should for the future have a voice in the formulation of political practice. The Government of India entirely concur in the justice of this claim, and with the approval of His Majesty's Government have decided to accede to your request, in regard to that portion of our political doctrine which can be expressed in the form of general principles, in so far as it is based on considerations other than treaty rights. From the point of view of Government also it cannot but be of the greatest advantage that decisions as to political practice which may have a bearing on the States' prerogatives should be taken after formal and collective discussion with Rulers ".

* * * * *

" It is a pleasure to me to be able to inform Your Highnesses of the intention of the Government of India and of His Majesty's Government to adopt your proposals for the appointment of a Standing Committee."

Again, in his official letter to the Princes of Rajputana on the subject of simplification of Political Relations, dated the 27th March, 1920, Sir Robert

Holland, then Agent to the Governor-General in Rajputana, wrote as follows :—

" It must be admitted frankly that in the past there was in some cases undue interference in the internal affairs of the States. To explain fully the reasons for this would necessitate recapitulation of much of the past history of Government relations with the States. So early as 1820, Colonel Tod remarked that the result of his benevolent intervention in the internal affairs of Mewar had been to throw the local machinery of administration out of gear and to weaken the hands of the Ruler. Later, practices now perceived to be iconoclastic and subversive of tradition, were initiated, though with the best intentions, by officers in charge of minority administrations, and these crystallised into principles for universal application. Precedents, evolving under special circumstances in individual States, were declared, without proper scrutiny, or due consideration, to be applicable to the States as a body. The Princes felt that their Treaty rights were being encroached upon and in the absence of facilities for mutual discussion of grievances and common representation of their point of view, they feared lest the development of the practices which they saw growing up might seriously prejudice the exercise of their sovereign powers within their States."

An important point which I wish to make as regards usage, and indeed as regards all that concerns the Rulers and States as a body, with special reference to liberalization of the policy towards the States and making it more sympathetic in matters political and fiscal, is that, contrary to the tendency manifest in official quarters, the benefits should accrue not only to the Princes of the larger States but also to the comparatively smaller States and their Rulers. For equity and justice demand that at least as much, if not greater, attention should be paid to the lesser and consequently weaker Rulers and their States.

I now come to the term "sufferance" which is to be found in clause (1) (b) of the terms of reference of the Butler Committee and which I might as well quote here—

" to report upon the relationship between the Paramount Power and the Indian States with particular reference to the rights and obligations arising from :—

(a) treaties, engagements and sanads, and

(b) usage, sufferance and other causes ;"

I have heard it described that the abovementioned insertion of the word "sufferance" was the product of an ingenious legal brain, and a brilliant attempt at diplomatic strategy for the purposes of consolidating Imperial interests to the prejudice of the States.

The Butler Committee in paragraph 40 of their Report recorded that :—

" Usage and sufferance have operated in two main directions. In several cases, where no treaty, engagement or sanad exists, usage and sufferance have supplied its place in favour of the States. In all cases usage and sufferance have operated to determine questions on which the treaties, engagements and

sanads are silent ; they have been a constant factor in the interpretation of these treaties, engagements and sanads ; and they have thus consolidated the position of the Crown as Paramount Power."

Sufferance and other things have certainly gone far to consolidate the position of the Paramount Power ; but the Indian States feel that this was done at the expense of the internal Sovereignty and the legitimate interests of the States, and is yet another case of the undermining and infringement of their Treaty rights.

What however sounds anomalous, and is indeed astounding in the extreme, is to say or imagine that the all powerful Paramount Power with the whole might and the immense resources of Great Britain as well as of the great British Empire behind it could possibly be placed in a position of equality with or on the same footing as, the Indian States in regard to sufferance. The use of the words quoted above stating that sufferance has also supplied its place in favour of the States, by which we understand that the Committee meant to imply that in some cases the Paramount Power too suffered loss of legitimate and legal rights to the undue benefit of the States by sufferance and that sufferance also affected the position of the Paramount Power. If that is so, it is we submit a contradiction of what follows where the Committee say that sufferance has also *consolidated the position of the Crown as Paramount Power*.

To contend that sufferance on the part of the Paramount Power has invariably affected their rights to the benefit of the States is really ludicrous in the extreme ; and it can I submit reasonably be contended that it was not the result of *force majeure* applied or of unwilling submission to anything else done, by the Indian States—which the States are obviously not in a position to do—but the result of deliberate and carefully considered action on the part of the Paramount Power, who have, ever since our Treaties, always had experts carefully to vet and deal with constitutional and legal matters affecting their relationship with the States and had had available to them at all times—besides most efficient officers responsible for the political aspect of such questions—the advice of the highest and ablest legal experts not only in India but also in Great Britain. No such thing in the shape of expert legal and constitutional, or political and administrative, advisers, and careful political and legal vetting and examination of all matters affecting the relations of the States with the Paramount Power was, in the very nature of things, possible much less available to the States, until very recently, and even then in an extremely minor degree as compared with all that the Paramount Power could command at all times ever since they entered into Treaty relations with them.

I am not a lawyer much less a constitutional lawyer, and therefore I merely speak as a layman so far as the legal aspect of the matter is involved. And we are fortified with the legal opinion of some of the most eminent Counsel in Great Britain, who gave us the benefit of their opinion—not as our advocates—but as some of the most prominent constitutional lawyers in Great Britain. But I believe that I am not wrong in saying that the word "sufferance" meaning passive acquiescence, or implied consent, in Municipal Law, is operative only if it is not induced by *fraud, force, undue influence, or mistake*. It is suspended during minority when the person supposed to have acquiesced has no consenting mind. Judged by these tests, the inroads of political practice cannot really be justified under the term "sufferance"

which pre-supposes full understanding of all the implications of a new theory and implies silence or acquiescence without the application of one's "judicial mind" to all the consequences involved.

Whilst it suited the Government of India at one time to issue a resolution in regard to the Manipur tragedy in 1891 by which, with one stroke of the pen, all international status and privileges were forthwith and summarily denied to the States, yet, I submit, is it not surprisingly strange that where it suits the advocates of Paramountcy being paramount and supporters of the Imperial interests being at all times supreme—regardless of justice and equity—we find phrases relating to European international relations applied without demur, hesitation and with impunity to the Indian States in their relations with the Paramount Power, as is clear from what I have already quoted in regard to the plea of sufferance on the part of the States? I submit that nothing can be more illogical, inconsistent or unfair.

There is great danger to our States—not subject to Municipal Law—from the misapplication of juristic doctrines imported from Municipal Law. Doctrines of usage, sufferance, and acquiescence and waiver all pre-suppose full knowledge of the correct relations and the willing surrender of rights. Usage to be perfect depends on the ancient and uninterrupted assertion of rights and cannot be matured in face of various protests by the States from time to time; and no right can be acquired by usage or sufferance unless there has been such a degree of acquiescence as can amount to evidence of agreement and acquiescence in specific acts.

Joint action on the part of the Princes and States was obviously out of the question in the then existing conditions when no Chamber of Princes existed; and in the latter period of our treaty relationship, few people in most States indeed realised what the treaties meant, or possessed even a scanty knowledge of English, specially so in Rajputana, and Central and Northern India. Even 40 years ago, when I came to the Throne, the number of people in the whole of my Capital, possessing even a superficial knowledge of English could be counted on the fingers of one hand. No properly organised Foreign Offices then existed in States with expert legal and constitutional and political advisors; and even when we made a beginning, our protests and our objections went in vain. In the training imparted to minor Princes, various doctrines—including such astounding doctrines as that the princes were the agents and intermediaries of the British Government, and not the Sovereign Rulers of their States possessing internal autonomy, and justifying all kinds of intervention—were drilled into the young princes; and no attempt was made to explain to the young Rulers the true constitutional position of themselves *vis-a-vis* the British Government. This all round ignorance and, in the then circumstances, the impossibility of really grasping the facts or the situation involved, combined with the arbitrary acts and rulings of the British Government—through undue influence, which the Princes and their Governments were unable obviously to resist—as well as the encroachments during minority administrations, have often discounted in appraising the correct rights of appreciating the dangers, past, and present and future, affecting the States. A moment's thought will reveal that it was impossible at the time for the States, and even the most sagacious of our statesmen, to foresee or realise the far reaching, and yet remote, effects of such detraction from the Sovereign rights of the States or to forestall the building up of the political practice or case-law—all converging upon the admitted infringements of treaty rights. Otherwise, there would certainly have been more frequent and more insistent protests in the past century.

Thus matters regarding sufferance between the British Government and the States cannot be judged as, for example, between two totally independent European States, fully enlightened and advanced, with up-to-date paraphernalia available for legal, constitutional and other governmental machinery and advice. Had it been otherwise, and if really there is any force in the argument regarding sufferance, which we respectfully beg to contradict, what for instance, is the need for revising the political practice in various directions and on diverse subjects as has been done during the last 11 years? Irrespective of such practice being unjust and unfair to the Princes and a clear encroachment on their Treaty Rights, sufferance alone would have sufficed to force it upon the States. What again was the necessity for admitting the rights of the Rulers of the bigger States to be styled "Princes" after they had been forced to put up a fight on the subject when we were officially informed at meetings, and in correspondence some 15 or 16 years ago that we were in no way entitled to the term "Princes" but only to the term "Chiefs", which applied to the feudatories of our Indian States as well as to the head of negro and other wild races? Why similarly was the wrong redressed and the Princes' claims in regard to precedence modified, during Lord Hardinge's Viceroyalty, at least to a considerable extent—though some details have yet to be gone into—*vis-a-vis* certain High British Officials, who up to some 15 years ago to the humiliation of the Princes had been given precedence above some of the greatest Ruling Princes in India, dating back specially to the Viceroyalty of Lord Curzon? Why then is there any necessity for an attempt, through mutual discussion and consent, to modify political practice, since it might similarly be urged that Prince through sufferance had given up all claims to any such redress? Where was the necessity for the institution of the Chamber of Princes to safeguard the interests of the Rulers and States of India, and why was the announcement made, regarding various other reforms to which I alluded yesterday in a speech which were recommended in Chapter X of the Montford Report and accepted by the Imperial Government as well as the Government of India? Why again then the need for rectifying and liberalising past political practice when some States under compulsion, or through ignorance or otherwise, had sent explanations and reports about the non-appearance of a camel for the Residency menials, the prosecution as an ordinary criminal case of the Residency butcher, or the trial of a gardener of the Royal Palace, or the dismissal by the Department concerned of Police constables and other employees? Surely under the plea of sufferance all these things could be insisted upon today.

I might here as well refer to the frequent manner in which innovations in theories are silently introduced in the legislative enactments of the Government of India, which are not previously even brought to the notice of the governments of the States concerned. Mark for instance the phraseology in which the Indian States were referred to in such Enactments prior to 1890 or more than 13 years after the assumption by Queen Victoria of the title of the Empress of India.

In spite of the unqualified assurance given publicly in Parliament by the then Prime Minister—Lord Beaconsfield—that such an assumption of the Imperial Title need cause no misgiving and that it would by no means affect the rights and status of the Indian Rulers, a change has been arbitrarily introduced in legal Enactments of the Government of India describing the relations of the Indian Rulers with the Crown; and the same untenable argument is advanced in regard to other matters—political and ceremonial.

In regard to such Enactments as were intended to have a bearing even on the territories of our States—and here I do not talk of the rights and wrongs

and the legality or otherwise, of such enactments—as regards our States, we find them described, correctly then, as applying to the—

“dominions of Princes and States in India in alliance with Her Majesty”.

A sudden change came over the Imperialistic mind and authority in 1895, or 18 years after Queen Victoria's assumption of the title of Empress, when a new phraseology was applied and the Rulers were, I understand for the first time, referred to as being—

“under the suzerainty of Her Majesty”.

No previous consultation with, much less the consent of, the States had taken place or been obtained. The innovation was not even communicated to the Indian Rulers; and the relationship of feudal suzerainty was thus smuggled into Legislative Enactments without even our knowledge. Is silence under such circumstances also to be interpreted into sufferance?

To proceed a stage further, new legal fictions need legal acumen and intellect of an acute mind in order to be detected, and their remote consequences fully comprehended. Even where the States understood the implications of a theory, they had not the courage to raise their feeble voice in protest against the advice of Political Officers accredited to their Courts; and their silence, even under these circumstances, has been interpreted as acquiescence or sufferance. Thus, for instance, their treaty and other rights—which have been safeguarded by Parliamentary enactments and successive Royal Proclamations as “inviolable and inviolable”—are imagined as abrogated, though, specially in the past, they have not always had the means or facilities or environments to lodge their emphatic, but respectful, protest in time. And yet we go a stage further, and in the first Act dealing with the Government of India Act of 1919, we find for the first time the spectre raised of treaties being defunct. Section 132 of that Act, for instance, makes only such treaties made by the East India Company binding on His Majesty “as are in force at the commencement of this Act”. This proviso did not exist in the older Act of 1858 and—in spite of Queen Victoria's memorable Pronouncement announcing to the Princes that all Treaties and Engagements made with them by, or under the authority of, the East India Company were accepted by Her Majesty and will be scrupulously maintained, and in spite furthermore of the Parliamentary enactment to the effect that “all Treaties” made by the East India Company “shall be binding on Her Majesty”—is intended to imply that Treaties can thus cease to be in force. No exception could have been taken to this limitation if the modification of Treaties was meant to be such as had been agreed to by mutual consent; but if Treaties are taken to be rescinded or modified even by usage or sufferance, by a stroke of the pen, or by the insertion of a paragraph in legislative enactments, independently of our consent, it becomes a dangerous innovation to which strong exception must be taken.

And one is left wondering what really did the supporters of those, who urged the plea of sufferance, imply or urge the Governments of the States to do. Did they expect us to resist any such encroachments on our Treaties and other rights by resort to arms, and thus prove ourselves unworthy of our ancient and religious traditions towards the Crown; or did they expect us, on the basis of international status, already denied to us, to send an ultimatum to the Government of India and to declare war upon them if they did not rectify all such matters within a specified time?

Your Excellency, this rectification and revision of all such matters and past mistakes, which we have now undertaken, even though it is not without its handicaps at the moment, is surely and clearly a recognition by the British Government of the wrongs committed in the past and their sincere desire to rectify them now and hereafter.

And only it is under the present day policy of sympathy and greater trust in the States that we are jointly endeavouring to rectify past mistakes and wrongs instead of having them presented to us as 'settled facts' sanctified by 'usage' and accepted by 'sufferance'.

I would respectfully submit that I am not wrong in urging that sufferance of all things should, in no circumstances, be even considered—much less allowed—to stand as any argument so far as the relations between the Crown and the Princes are concerned.

We feel that Your Excellency and the Imperial Government will agree that what is far more important is that the interests and the rights of the States should be duly and adequately safeguarded; that justice should be done to them; that, where any mistake has been made or wrong done in the past, immediate steps should willingly and generously be taken to rectify them—whether they relate to political or fiscal matters as also questions involving the honour and dignity of the Indian States and their Rulers—and we earnestly urge, and confidently hope, above all, that in the near future, through a policy of absolute justice and impartiality, equity and fairplay, the plighted word of Great Britain will be upheld, no matter what the question is that is involved, and that faith will be kept at all costs with the Princes and States.

His Highness the Chief of Sangli: Your Excellency; Your Highnesses: It is now my privilege to second the resolution which has just been moved by my friend His Highness the Maharaja of Bikaner with his usual ability and eloquence. His Highness has already dealt with the question in its various aspects with great lucidity, and I shall, therefore, only confine myself to a point or two which strike me as of importance in this connection and at the same time try to be as brief as possible.

Usage tends to spring up, when questions arise regarding interpretation of our treaties and engagements, or when new circumstance on which our agreements are silent comes into existence. We have nothing to say against a valid usage when it has been developed upon the basis of mutual consent. The usage we object to is one which has come into force through an arbitrary process to the prejudice of the rights secured to us by our treaties. So far as the co-operation demanded from us to maintain the peace of India within and as against attacks from without and for that purpose to prevent gross mis-government is concerned, it has been freely acknowledged that we have not been found lacking in our response to the Paramount Power, even when it has exercised a large discretion to enlarge its views and choose its means as regards that co-operation. In regard to matters covered by other clauses of our treaties or not covered by them at all, the remedy is not that the Paramount Power should employ its authority in an arbitrary manner, but that it should employ it with the consent of the States—a solution which has been adopted by the Imperial Government in the case of the self-governing Dominions. The Indian States Committee have already testified to the good feeling and the compromising spirit of the States, and there is therefore no reason to fear that in questions of the common weal the attitude of the States will not be such as to promote harmony and good-will between the Paramount Power and the States.

There is one more point which I should like to refer to. A usage can not be said to have sprung up in any State, as soon as any action has been taken in regard to any particular set of circumstances in it. Because the action was taken, it would not therefore necessarily follow that that action has all the sanctity of a special usage. It might not have that sanctity, even though the action were followed by similar actions in that State. Much less would a similar action be justified in another State, simply because the particular action had been taken in the former State. A case in one State may appear to be on all fours with a case in another to which a usage may apply. But the resemblance between the two cases may after all be more apparent than real. There may be peculiarities about the treaty rights, the history, the local circumstances, the traditions, and the general necessity, which may substantially distinguish an apparently similar case in one State from its prototype in another to which a usage may be applicable. The distinction would render a usage applicable to one State inapplicable to another. To my mind it is not in the nature of things that a usage generally applicable to all States can come into existence. It must necessarily be confined to individual States, and even in such States its validity should only be determined according to the principles enunciated in the resolution.

In this connection the view always urged by us namely that the treaties should not be read as a whole has an important bearing. The Butler Committee have also agreed with this view. A different doctrine long held the field. According to it clauses and provisions were read in treaties which did not contain them, only because the clauses or provisions were included in other treaties. Fortunately for us this view has now been repudiated. The general idea that there can be usage applicable to all Indian States alike is as fallacious as the other theory namely that it is legitimate to read treaties as a whole. It has done infinite damage in the past to the rights of the States. I need not point out to Your Highnesses that our treaties and engagements are individual to our States, and the rights, privileges and authority of any Ruler are not exactly similar to those enjoyed by another. In such circumstances the idea of a general usage binding on all the States is obviously untenable.

As I have already said we do not deny the applicability of usage when it is valid. But it is of the highest importance that the different usages which are said to have sprung up should be subjected to an impartial and strict examination in the light of the principles laid down in the resolution, before they are accepted as being valid in regard to the States to which they may be said to apply.

With these words I second the resolution.

His Excellency the Viceroy : This resolution is concerned with another aspect, and I think a very difficult aspect, of the relations between the Paramount Power and the States, and we have been treated to two very illuminating and instructive speeches on the subject. I have always had a great admiration for the diverse and manifold gifts of His Highness the Maharaja of Bikaner, but I seldom felt greater admiration than in watching him, after confessing to be a mere layman, taking an easy, informed, and masterly track through the mazes and intricacies of the law, and he will forgive me if I do not make the attempt to follow his footpath over these highly technical matters. I permit myself only one general observation. I think that, with regard to a good many subjects not perhaps excluding that with which we have been dealing this morning, it is perhaps true that

the facts are comparatively simple, but the theories by which people seek to account for the facts are very much more difficult. I sometimes think that in reading history—this is a general observation which is not irrelevant to this discussion—we are often apt to suppose that a particular fact or a particular action bears a closer relation to some theory than the taker of the action or the judge of the fact at the time had at all present to his mind. I think that is a general warning that perhaps we should properly bear in mind in reading history, and which I am sure supports the view that facts are less obstinate than theories. However, subject to this general observation and to an expression of thanks to those who have led us through the law, I would ask the Chamber to express their opinion about the resolution which has been moved and seconded in the form in which it appears on the paper.

(The resolution was carried unanimously.)

Agendum No. 11 (7.)

Resolution by His Highness the Maharaja of Kashmir regarding the creation of effective machinery for the settlement of matters of common concern to British India and the States.

His Highness the Maharaja of Kashmir :—Your Excellency ; Your Highnesses : The Resolution which I have the honour to move reads as follows :—

“This Chamber recommends the creation of effective machinery for the settlement by mutual agreement of matters of common concern to British India and the States.”

It is hardly necessary for me to say to Your Highnesses that this Resolution affects us very closely. In matters of common concern to British India and ourselves it is necessary in the interests of both parties that machinery should exist which would ensure full and impartial consideration of the views and interests of both. Your Highnesses know that at present it is the Paramount Power that is called upon to decide matters of common concern to British India and ourselves. This is a position which is hardly fair to the Paramount Power or to ourselves, because the Paramount Power is so closely identified with the Government of British India, that decisions in such cases are at times almost perforce based upon an insufficient appreciation of our rights. In support of this statement I would refer to the evidence which we placed before the Indian States Committee on this question. In connection with our desire for the creation of effective machinery for settlement by mutual agreement of matters of common concern to British India and ourselves, we claim that whatever machinery is evolved for that purpose, should form part of the constitution of India and should be created by statute, so that no other body forming part of that constitution should have authority over it.

With these words I have the honour of moving the resolution for acceptance of the House.

His Highness the Maharaja Jam Sahib of Nawanagar : Your Excellency ; Your Highnesses : I have much pleasure in seconding the Resolution moved by His Highness the Pro-Chancellor. In a celebrated passage in

one of his speeches on the American Colonies, Edmund Burke draws a distinction between the local and Imperial character of the British Parliament. In its first aspect, it deals with the affairs of the United Kingdom; in its second aspect, it deals with the affairs of the Empire. A similar distinction can be made with regard to the functions of the Government of India. It has a local aspect in which it is merely the executive of British India. It has an Imperial aspect in which it is vested with an impartial consideration of Indian interests as a whole and is expected to do justice and nothing but justice between British India and the Indian States.

In matters of common concern between British India and the States, the method so far followed has been for the Government of India to decide the question in what I call its Imperial capacity. As His Highness the Maharaja Sahib of Kashmir has pointed out, this procedure has not been satisfactory from our point of view. Too close an identity has followed from the two functions being combined in one Government, and this has perhaps been an unconscious process. But a confusion of thought has occurred, with the result that the Government of India has sometimes mistaken its true character and taken up the rôle of a partisan instead of that of a Judge. The decisions so far as they have concerned us, have been practically given *ex-parte*. This position may be much more accentuated when the Government of India comes more directly under the control of the British Indian Legislature. There is a great danger, then, of the second aspect vanishing altogether and the first or the local aspect monopolizing the entire field of governmental functions. It is therefore clearly necessary that some suitable machinery should be devised and provided for the settlement of such disputes.

The proposals of the Indian States Committee do not in any way meet the requirements of the situation. First, the condition precedent to any action being taken, is not the clashing of interests between an Indian State or a group of States and British India, but a disagreement between the Political Department and another Department of the Government of India—a disagreement which in actual practice has rarely had an effective existence, and practically no existence at all during the minority or otherwise weak administration of a State.

Secondly, the proposed Committee being purely advisory, such advice of theirs as is opposed to British Indian claims would stand few, if any, chances of being accepted in the absence of anything to counterbalance the pressure of British India and its Government against a solitary State or even a group of States.

It is absolutely necessary, therefore, that some other method should be devised. His Highness the Pro-Chancellor has explained why it is necessary to create this machinery, by agreement with the States. Personally I consider that unless this is done, even the machinery would not remain effective.

With these observations, I commend this Resolution to the acceptance of this Chamber.

His Highness the Maharaja of Dewas (Senior Branch): Your Excellency; Your Highnesses: I rise to further support this Resolution. It is not necessary for me to point out that the question raised by this Resolution is one of immediate urgency. That British India and the States have great many interests in common, in fact that they are inextricably bound up with each other is a proposition that requires no argument to prove it. That

their interests not infrequently clash is equally obvious. Even the Indian States Committee do not deny it. It is clear that matters which jointly affect the States and British India should be decided in a manner in which the point of view of both parties would be represented. The States do not desire to gain anything at the expense of British India and I presume British India has no desire to be unfair to the claims of the States. In such a case the natural course is that when there are matters of common concern a decision on which would affect all alike, there should be a proper machinery which could weigh with impartiality the interests and rights of all parties concerned. That is all that this Chamber is asking for.

His Highness the Nawab of Bahawalpur : Your Excellency ; Your Highnesses ; I rise to support the resolution just now moved by His Highness the Pro-Chancellor and seconded by His Highness the Maharaja Jam Sahib. After the lucid and able exposition of the subject matter of the resolution by Their Highnesses I find it really difficult to find suitable words in support of it. The importance of the question from the point of view of the States has been fully explained by the mover. It has also been shown how the States have in the past suffered grievously from the lack of a suitable machinery to decide matters of common concern. There is, in my opinion, another reason which makes the creation of this machinery imperative from the point of view of the States. Under the existing system decisions regarding financial, fiscal or other policy affecting India as a whole, that is, including the Indian States, are taken without any previous reference to the latter. In this particular respect the States are worse off than British India, as British India does appear to have a right to be consulted. The Indian Legislative Assembly has the right to criticise the policy of the Government and, in certain cases, even to impose its will on the executive. It is thus only fair that the States too should be provided with suitable machinery for the safeguarding of their unquestioned rights in this respect, and that they should no longer have super-imposed on them outside will without the right of being heard.

Let me make the position clearer. The States have no wish to interfere in matters affecting British India. We in this Chamber recognize the obligation to abstain from interfering in the internal affairs of British India. But our interdependence is so close that we contend that where our interests and those of British India collide or conflict, or where both are likely to be affected by any proposal, the States should have at their disposal a machinery through which they could press their point of view and see that their interests do not suffer.

Honest differences of opinions arise between the best of friends. It is not always possible for either party to approach these questions with the necessary degree of detachment. Further complications arise if one of the parties happens to be in a position which enables it to impose its will on the other, apart from the merits of the particular question at issue.

The Indian States Committee admit that there is foundation for our complaint and that States are and have been at a disadvantage in this respect. The resolution now before us seeks the removal of these disabilities and disadvantages under which the States have laboured so long and which in fairness should no longer be permitted to hamper us in the protection and furtherance of the interests of our States.

Your Highnesses, few will deny that the present is the opportune moment for the settlement of this question. The constitution of India is in the

melting pot. The creation of machinery for the adjustment of questions of common concern is and should be a part of the question of providing India with a suitable constitution. The acceptance of this resolution would provide means for setting at rest, one for all, most of the controversies that have given rise to avoidable misunderstandings. The decisions arrived at through such a machinery would further, in course of time, provide a very valuable set of precedents minimising thereby the chances of similar disagreements arising in the future. Thus the proposal, if adopted, would not only provide a speedy and radical remedy for existing differences but would also have a preventive effect. I trust the resolution would be unanimously passed by the Chamber and accepted by Your Excellency.

With these few words I support the resolution.

His Excellency the Viceroy : The motion is :

“That this Chamber recommends the creation of effective machinery for the settlement by mutual agreement of matters of common concern to British India and the States.”

Those in favour will signify the same.

(The Resolution was carried unanimously.)

Agendum No. 11 (3) (Part 2).

Resolution by His Highness the Maharaja of Alwar regarding the personal and dynastic status of Rulers.

His Highness the Maharaja of Alwar : Your Excellency; Your Highnesses : This Narendra Mandal is of opinion that any matters affecting the personal and dynastic status of rulers should be the subject of decision by His Excellency the Viceroy as a representative of the Crown, in consultation with selected members of the Order of Princes. It is my desire this morning, at any rate for the present session of the Chamber, to create a record as regards brevity of speech. Perhaps His Highness the Maharaj Rana of Dholpur has spoken even more briefly if only to be defeated by two words uttered by the Chief of Talcher. I have nothing more to say or to add to the Resolution which is of such import, and contains on the face of it all that has to be said.

His Highness the Raja of Sitamau : Your Excellency; Your Highnesses : I rise to second the Resolution moved by His Highness the Maharaja Sahib of Alwar. The proposition outlined in this Resolution is being urged with a view to possible future developments. The precise place which would be assigned to the States in the future constitution of India is yet in the lap of Gods. It seems, however, likely that when the dominion form of Government is set up in British India, the problems of common concern to British India and the States will form appropriate subjects of joint determination, by mutual consent, between the representatives of this Government and those of the States. Your Excellency may recollect that the Montford report advocated that in view of the changes then contemplated in the constitution of Provincial Governments, these Governments would be rendered unfit to discharge the functions of the Crown's Agents in dealings with the States. The same argument now applies to the possible changes in the constitution of Government of India. I am not one of those who grudge the early realisation of the legitimate demands of our compatriots in British India.

But it seems obvious that the future Government of India will be increasingly responsible to the British Indian electorate and that, as such, from its obvious limitations it will be unsuited to determine the questions of personal and dynastic problems affecting the Indian Rulers. Your Excellency, we the Indian Rulers have always cherished and will continue to cherish our direct relationship with the Crown. As such, we desire that whatever other constitutional changes may be inevitable, the settlement of our personal and dynastic matters may continue to vest in Your Excellency as the personal representative of the Crown. There is one word more and I have done. The British Government is wisely associating with itself its subjects in British India, in the settlement of British Indian problems. We trust that at least the same latitude will be allowed to us in the settlement of our personal and dynastic questions. It is, therefore, that we suggest that such matters may be decided in consultation with the members of our Order. Whenever such a consultation is made, I hope that the Princes consulted will invariably include also those who may be directly affected by it. We are confident that the association of the Princes concerned along with other brother Princes will eliminate many chances of dissatisfaction and heart-burning and will be of constructive assistance to Your Excellency in dealing with such questions. With these words I beg to second the Resolution.

His Highness the Chief of Sangli : Your Excellency ; Your Highnesses : We Indian Rulers attach the greatest importance to matters affecting our personal dynastic status. To take merely the question of ceremonial which may perhaps be looked upon as comparatively of minor importance, we cannot forget that it has a value in the estimation of people and is intimately connected with the question of the power, authority and status of our States. This is the reason why the treaties of some of our States contain express stipulation about the continuance of our original status and dignity by the Imperial Government. When, therefore, we indicate any anxiety about the observance of any courtesies and ceremonials, it is our object to stress the status and authority which they symbolise. This has been appreciated even by the Paramount Power as may be seen from the fact that there are several States which have been treated by Government in a special manner as compared to other States larger in revenue and population. Besides such States there are a few more whose cases have yet to receive the attention of Government. Just by way of an illustration it would be permissible to say that when representatives of certain States have met those of the British Government, they met in tents pitched midway between their camps and such instances could be multiplied. These are instances of high honour indicative of recognition of the high rank of the States concerned. Matters arising out of such precedents may come up before Government. As the Crown is the fountainhead of all honour, it is only proper that such questions should be decided by His Excellency the Viceroy as representative of the Crown. The Resolution asks that selected members of the Order of Princes should be consulted by His Excellency the Viceroy as regards such questions. As observed by Sir Harcourt Butler Committee in paragraph 16 of the Report, there is naturally a strong desire on the part of the lower graded States to rise higher, and it is but proper that it should receive careful, sympathetic and generous consideration of His Excellency. I therefore hope that whenever His Excellency the Viceroy is pleased to consult any members of our Order, on such questions, the Princes who might be concerned will also be included among them as very properly suggested by His Highness of Sitamau in seconding the Resolution so that they may be satisfied that their cases have been fully considered.

The Pant Sachiv of Bhor : Your Excellency ; Your Highnesses : Looking to the far-reaching effect and that, too, of a momentous character, I think it my duty to make a few remarks.

The personal and dynastic status of Rulers will be affected either by the (a) curtailment, or (b) enhancement of powers. In cases of curtailment of powers, matters affecting the status of Rulers should be decided in the way suggested in the Resolution and I have nothing to say in this connection, but as regards the way by which the decision in the latter case is to be arrived at I have to say a little.

It pains me very much indeed to say that I cannot bring myself round to agree with the able mover of this Resolution. The Chamber legitimately aspires to have its power and scope enlarged, and only yesterday morning I have given my whole-hearted support to the Resolution regarding the revision of the constitution of the Chamber. But the bestowal of honours and the enlargement of powers of the princes and in my opinion the sole prerogatives of the Crown and they are to be exercised by His Excellency the Viceroy alone who is the highest representative of the Crown here. I therefore think that the present arrangement in that connection should remain as it is.

With these remarks I oppose the Resolution.

My view is also shared to some extent by the supporters of the Resolution also, viz., Their Highnesses the Chief Saheb of Sangli and the Raja Saheb of Sitamau. There is my another object in opposing the Resolution that I desire that Your Highnesses would also share my view that there should be very cordial relations between all members of the Chamber. And if such procedure is followed there is much likelihood of ill-feeling arising amongst our Order.

With these words I will oppose the Resolution. But if I am allowed to move an amendment, my amendment with the Resolution runs thus :—

RESOLUTION.

“ That this Narendra Mandal is of opinion that in the personal and dynastic status of Rulers should be decided by His Excellency the Viceroy of the Crown, in consultation with the Order of Princes, *if any Prince adversely affected wishes to move a case.* ”

The Chief of Jamkhandi :

proceeding to support the Pant Sachiv's views on the resolution under the various aspects of the question laid down in the resolution. My views are these :—

THAT

that

other Princes. Had there been any constituted body, representative of all the States in India, great and small, in the right sense of the term, it would have been well accepted that such questions should be decided in consultation with the members of such a body, but in the absence of such a representative body, the suggestion underlying this resolution cannot be accepted. I may be excused if I am tempted to say that the present constitution of this Chamber is not very satisfactory, and the Chamber, therefore, cannot be regarded as a truly representative body. Secondly, the wording of the resolution according to my humble opinion is ambiguous. I would have most willingly welcomed the resolution had it been so drafted as to clearly convey the meaning that matters affecting personal and dynastic status of Rulers should not be decided by His Excellency the Viceroy against those Rulers, without having a previous consultation with the leading members of the Order and the Ruler concerned. But looking to the form in which the resolution now stands before us, I entertain serious doubts whether it will in all cases invariably tend to promote the interest of the Rulers in general, and those of small States in particular. In this connection, I agree with the view expressed just now by my brother Prince, the Pant Sachiv of Bhor.

Your Excellency; Your Highnesses: I also beg permission to state that as a representative member, I do not think it justifiable on my part to give my assent to this resolution, without having a chance of knowing the opinions of my constituents on this important matter.

On all these grounds, I have to do the painful duty of disagreeing with the motion in the form in which it stands and to support what the Pant Sachiv of Bhore has just said.

His Excellency the Viceroy : The original motion before the House is as it stands on the paper, but since that an amendment has been moved to add at the end of the motion, these words : " if any Prince, when his status is sought to be adversely affected, wishes to have this procedure adopted in case ". The first question that I shall put will be whether you want words added to it. Do any of Your Highnesses wish to speak on the adding these words ?

the Maharaja of Alwar : Your Excellency ; Your High-
ness is so kind and so good as to be privileged during the whole session of the
Legislative Council to have one single opportunity of a debate upon my Reso-
lution, so simple, so harmless, and to have an amend-
ment proposed by the Chief of Bhor. I should like to say on this subject
that I have thoroughly understood what the implication
of the amendment attempts to read it twice, but I am
not able to do so. The language has not come to my
ears, and I do not know the import of the meaning of it,
and I do not know the facts of personal and dynastic status
of the Maharaja of Bhor, and I do not know by His Excellency the Viceroy.
I should like to ask the Chief of Bhor what
he has proposed. I should like to agree
to the amendment, but I do not know more
about it.

be affected in two ways in my opinion, (1) by curtailment of powers ; or (2) by enhancement of powers. So when the question of curtailment might arise, if a Prince wants that his colleagues should be consulted, then only his case should be considered along with his colleagues or a selected group of Princes ; but if he does not wish that a group of Princes should be consulted, then the Viceroy should not be bound to consult the views of other Princes against his wishes. That is my point.

His Highness the Maharaja of Alwar : I have again listened with much interest to the illuminating explanation given by the Chief of Bhore. He first of all has referred to the question of powers. I have failed to understand where in the designation of personal and dynastic status the question of powers comes, in this Resolution. I am concerned to have been so slow to understand the amendment. It refers to the elimination of the words "the selected members of the Order of Princes". May I ask, if he can tell me what particular objections he has in his respect, because I feel certain that he has as much confidence in his own order as the rest of us and I should like to have it made more explicit and clear as to how exactly, on what basis, and on what points, he disagrees with the last sentence of my resolution.

His Highness the Maharaja of Bikaner : I feel that in the amendment moved by my friend the Pant Sachiv of Bhore there is a genuine misunderstanding in regard to the purpose of the Resolution before us, and it is in the hope that the few words that I shall now say might help in clearing away the misunderstanding that I rise to speak. I think it is because deliberately we did not put down all the details, the important details involved, which was meant to be the main principle, underlying this Resolution, that a misunderstanding has arisen. To put it quite plainly, the matters that we have in view are such as may arise, we hope in rare cases, when a Prince has to face the questions of deposition, abdication or curtailment of his powers. There may similarly be disputes in regard to succession. These are the sort of personal matters that we want His Excellency as the Representative of the Crown to deal with, and not the present or the future Government of India. That is the first object of this Resolution—so I take it at least—and I shall be very surprised if my friend, the Pant Sachiv of Bhore, does not agree that these are matters which we want to be dealt with by Your Excellency. Now it is not intended that there should be any fettering of His Excellency the Viceroy's freedom of action in these matters. The proposal might help in smoothing other difficulties, and it might also be the desire of the Ruler who is involved in such unpleasant difficulties as may necessitate or involve his abdication or deposition. It is not the Chamber, it is not the Standing Committee, that wants to take the matter into its hands. The very fact that selected members of the Order of Princes have been mentioned shows that it is a matter for His Excellency to choose those who either are acquainted with the Prince or the State, or who will inspire confidence in him in dealing with such matters and it is for this purpose that we have done it. There is no question of a body of brother Princes sitting as judges and settling whether the powers of a State are or are not to be improved. These are really not the questions that are intended—it is merely the personal questions that are intended in this Resolution.

The Pant Sachiv of Bhore : Your Excellency and Your Highnesses: I am very grateful to His Highness of Bikaner for the meaning of the Resolution being made very clear, but my point of view is only this, that when a Prince, wants that the Viceroy should take consultation with selected group of Princes then and then only should the Viceroy consult a group of Princes ; otherwise the Viceroy should not be bound to consult. This is my only point.

His Excellency the Viceroy : I shall ask Your Highnesses to vote first for the amendment which the Pant Sachiv of Bhor desires to move. The amendment is to add at the end of the original Resolution—

“ If any Prince, when his status is sought to be adversely affected, wishes to have this procedure adopted in his case ”.

Will those in favour of this amendment please signify the same ? The amendment is lost. If none of Your Highnesses desire to speak on the motion, I want to make one observation before putting it to the vote. I think that the Resolution as it stands unamended does in fact represent the practice that the Viceroy generally endeavours to pursue. It has, as His Highness of Bikaner has said, been of great assistance to the Viceroy to have the advice, on technical and difficult matters, of Princes whom he may be able to consult. As the mover of the amendment said, or had in his mind, the Viceroy in taking action and consulting in that fashion would always have regard to the feelings and judgment, so far as he could, of the particular Prince whose case might have brought the technical difficulty forward. But I confess I would find it much easier to accept the Maharaja of Bikaner's interpretation of the Resolution, before putting it to the Chamber, in the form in which it appears on the paper. I make this proviso at this stage because I think that the wording of the Resolution as it stands is open to the interpretation possibly that its effect would be to put the Viceroy's powers in this matter for consideration by a quasi-commission. That, I note, would not be Your Highnesses' intention, nor would it be possible for me to accept it.

His Highness the Maharaja of Alwar : May I know the meaning of “ quasi-commission ” ?

His Excellency the Viceroy : It would tend to set up a situation in which the Viceroy's powers would be shared by the Princes and where he would be held bound to accept their advice. That, I know, is not the purpose of Your Highnesses. Subject to this explanation I make no further comment upon this, except that I, with the Maharaja of Alwar, welcome the “ heated ” debate that has just taken place, and I do not at all agree with the seconder of the amendment when he said that it was his “ painful duty ” to differ from somebody else, because opposition tends to develop a healthy life and vigour and I should like to see as much difference of opinion as possible. Subject to that observation I will put the Resolution in the form in which it appears on the paper. Those who are in favour signify the same in the usual way.

(The Resolution was carried by a majority.)

Agendum No. 11 (3) (Part 3).

Resolution by His Highness the Maharaja Jam Sahib of Nawanagar regarding adjudication on matters of justiciable and non-justiciable nature.

His Highness the Maharaja Jam Sahib of Nawanagar : Your Excellency ; Your Highnesses : The Resolution which I rise to move runs as under :—

“ This Chamber recommends that suitable machineries should be available as of right to adjudicate upon all matters of justiciable nature and to arbitrate finally upon those of non-justiciable nature in issue between the British Government or British India and the Indian States, or between the Indian

States *inter se*, provided that in the last named case, both parties agree to the employment of these machineries. In case they do not, the present method for settlement would continue."

I believe, there is no scope for any difference of opinion regarding the expediency of possessing suitable machineries for the adjudication of disputes between the Government of India and the States, or between the States *inter se*. International disputes between sovereign communities often led in the past to resort to force and decision by warfare. Even as between such international sovereign States, justiciable issues are now decided through suitable legal machinery.

In India, where many individual and collective interests compete with each other, the necessity for an impartial and competent judicial machinery to decide justiciable cases is all the greater. It is a matter of common experience to all of us that in our dealings *inter se* or with the British Government there often arise questions, which are neither matters for diplomacy nor for executive action, but are only suitable for a judicial decision.

Our Order recognises clearly that its request for the institution of a Court to settle questions at issue with British India would not be on solid ground, if there was no agreement among ourselves that similar matters needing decisions between our States *inter se* should be submitted to the same judiciary.

I should have preferred to be reticent on the disadvantages of the present practice of leaving such matters to the executive side. The draw-backs and short-comings of this procedure are so evident—and are almost matters of every day experience—that no purpose would be served by any lengthy argument on the point. We know the disadvantages too well to be told or reminded about them. Have we not seen cases succeeding on other grounds than mere merit and justice? It is not my purpose to belittle the services or to impeach their impartiality or judgment, but a decision by a tribunal so constituted as to command the confidence of the world would be far more acceptable to the parties than an executive order of the kind with which we are too familiar.

What form the machinery should take, it is premature for me to say. It may take the form of a Supreme Court on the model of the Permanent Court of International Justice at the Hague. It may take the form of a Judicial Committee of an Indian Privy Council and follow the form of recommending a decision to the King. The form of the Court, its powers and limitations are matters to be decided after full consideration. I believe that we can offer no useful suggestions as to these matters at this stage.

But there is one point that I would like to emphasize in this connection. Whatever form it takes, whatever be its powers, the machinery set up should be governed by the procedure of the Law Courts. Its decisions should be judicial decisions strictly based on law and facts, entirely unaffected by political considerations of extra-judicial circumstances. The great weakness of the present system of executive decision in matters relating to the States is that the Government of India does not permit Counsel to appear and argue and the decisions sometimes reached have nothing to do with recognised legal principles. In any case, the decision is not in the nature of a judgment reviewing the evidence and stating the law: It is promulgated as an order of the Paramount Power. This seems to me to be unjust, as in purely justiciable cases, the States are entitled to get justice, like any other body of people within the Empire.

This Resolution only asks that this defect should be removed and a tribunal should be instituted, which would command universal confidence and respect. I trust Your Excellency will see no objection to the inauguration of such a Court. It would remove the feeling that now exists that in matters affecting a State and the Government of India, the latter is both Judge and party at the same time. I imagine that British India can have no objection, but would be prepared to welcome the proposal. It would not merely relieve the responsibility of the Political Department automatically in a variety of cases, in which its members cannot be over-happy: it would definitely establish the rule of law and lead to a wholesome feeling of respect between British India and the States, and among the States themselves. I am the first to acknowledge the many services rendered to the States by the officers of the Political Department. They have tried to understand the States' views with great patience and in many cases, have given us their powerful support, but other departments of Government have intervened and have overriden the good work and just support to the States of the Political Officers.

We are asked to establish the rule of justice in our States: that is a principal item of advice, administered—and very rightly administered—when a young Ruler is invested with powers. May we not ask for the same rule of justice when cases occur between the States and Government which, by their very nature, are fitted for a judicial enquiry and decision.

I will now refer to the non-justiciable matters which form the second part of this resolution. It asks for a machinery of arbitration for dealing with such cases. The same reasoning would support the necessity for such a machinery in disputes which do not fall under the category of justiciable matters. In such matters between States *inter se*, it would rest entirely with the States whether to resort to arbitration or to ask for a decision on the executive side as at present. In recommending the alternative course contained in this proposal, may I say that I am not putting up an inconsistent proposition? There is this important distinction: in non-justiciable cases between two States, the deciding party would be a third person, unconnected with any of the parties, which is a guarantee that the question at issue would be impartially dealt with.

Your Excellency, I am privileged to move this Resolution.

His Highness the Nawab of Bahawalpur: Your Excellency; Your Highnesses: I have much pleasure in seconding this Resolution moved by my uncle His Highness Maharaja Jam Sahab.

Whatever the future may have in store for us, for the present it is a practical necessity to recognise the existence of the two Indias side by side. It is no less a practical necessity to find suitable methods for solving problems to which this condition naturally gives rise. Between neighbours, howsoever friendly, honest differences of opinion, and even disagreements, as to their rights against each other, are bound to arise. It is not always possible for either of the parties to approach these questions with the necessary degree of detachment. Further complications arise if one of the parties happens to be in a position which enables it to impose its will on the other, apart from the merits of the particular question at issue. Amongst the numerous problems that thus arise a great many are cases of a justiciable nature, cases in which questions of fact or of law or both are at issue. Such cases are obviously capable of investigation and decision according to the principles of law.

Numerous instances arise in which rights of neighbouring States and neighbouring provinces are disputed and at present there is no means of

getting a judicial decision in such cases. It is therefore very necessary that there should be some machinery to which the aggrieved party could appeal and which would give its decision, not as an arbitrary decree but as a judicial finding, based on a thorough enquiry on the facts and law of the case.

The request embodied in the resolution now before Your Highnesses, is for the creation of some such machinery for cases of this nature. The acceptance of this resolution would provide means for setting at rest, once for all, most of the controversies that have given rise to avoidable mis-understandings. The decisions arrived at through such a machinery would further, in course of time, provide a very valuable set of precedents, minimising thereby the chances of similar disagreements arising in the future. Thus the proposal, if adopted, would not only provide a speedy and radical remedy for existing differences but would also have a preventive effect. I trust the resolution would be unanimously passed by the Chamber and accepted by Your Excellency.

His Highness the Chief of Sangli : Your Excellency ; Your Highnesses : I rise to say a few words in support of this resolution.

It will always be to the lasting glory of the British Government that the advent of its supremacy into this land more than a hundred years ago enabled our States to renounce recourse to war for the solution of controversies arising between them *inter se* or between a State and a British Indian Government. Unfortunately, however, no machinery has so far been developed for the adjustment of these differences, such as might satisfy the States, particularly in cases where the Government of India itself is involved, that the issues have been considered in an independent and impartial manner. The imperious needs of the present situation cannot be met by a cure which is not thorough-going. It is essential that the machinery for the determination of disputes should be available every time it is needed and that it should not rest with any of the parties to the disputes either to accept or not to accept its decisions. No doubt, it is the right and the privilege of the Paramount Power to decide all such disputes. But it is its still greater privilege so to provide for performance of this function of its that its decisions shall inspire confidence. The machinery would be its own machinery, and it would accept its advice because of its own satisfaction that it ought to be accepted.

Such a machinery would be able to establish a "jurisprudence" of the relationship of the Paramount Power and the Indian States. It is the decisions of such a machinery which will truly serve to light the paths of justice and consolidate the position of the Crown on an enduring foundation. In recording this resolution we are merely pleading for the enthronement of law in place of the present system of decisions by one who is himself a party to the disputes. We need not at this stage speculate on the exact plan to be adopted. There would, however, be no insuperable difficulty in evolving a proper scheme most suitable to our peculiar conditions. I hope Government will be pleased to grant the demand embodied in this resolution.

With these words I support the resolution.

His Excellency the Viceroy : The motion has been moved and seconded in the form in which it appears on the paper. Those in favour of it will signify the same.

(The Resolution was carried unanimously.)

Resolution by His Highness the Maharaja of Patiala, regarding the Indian Statutory Commission.

His Highness the Maharaja of Patiala : Your Excellency, Your Highnesses : I rise to move the Resolution standing in my name which reads as follows :

“This Chamber heartily welcomes the realisation by Sir John Simon and his colleagues that any recommendations made by them regarding British India cannot but affect the historical and constitutional position of the Indian States.”

I can assure Your Excellency that members of this Chamber are glad that the Indian Statutory Commission recognised that fact, which should indeed have been obvious from the beginning, that whatever recommendations they might make with regard to the future constitution of India, would be incomplete if the question of the relation of British India with Indian States were left out of consideration. The correspondence between the Prime Minister and Sir John Simon shows that the importance of this question has now been recognised. We were not consulted before Sir John Simon was authorised by the Prime Minister to extend the scope of his proposals. We consider that it would have been formally more appropriate to have consulted us. The sooner the Report of the Simon Commission can appear the better, and I have little doubt that it is the recognition of this urgency, which precluded any consultation being made with this Chamber, when it became evident that the Simon Commission could not leave out all reference to the States. I am, however, right in saying that had any consultation been made our Order would have raised no objection to the suggestion. But the essential soundness of the decision, in the special circumstances of this case, extenuates mere omission to comply with formalities. For the same reason, *viz.*, the indisputable soundness of the decision, it seems unnecessary to consider whether such an extension of the Commission's terms of reference is compatible with a strict interpretation of the scope and purpose of the Statutory Enquiry, as laid down in Section 84-A. of the Government of India Act. On a large view of the problem of India's constitutional evolution, such extension must be held to have been wise. All that we contend now is that the recommendations of the Commission should be made with due regard to the sacred duty of the Paramount Power to safeguard our rights, privileges and authorities which have been guaranteed to us by solemn agreements. Subject to this very natural reservation, we can assure Your Excellency that members of this Chamber will do all that lies in their power to implement recommendations made with a view to provide effective and harmonious co-operation between British India and Indian States. I use the term British India to signify not only the system of government in existence to-day but any other system that may be evolved as a result of the Round Table Conference. I hope Sir John Simon and his colleagues will be successful in their efforts.

There is only one more point I desire to emphasise in connection with this Resolution. I firmly believe, and I have no doubt my brother Princes also believe, that we have nothing to lose and much to gain from an impartial enquiry into our position and status. Our rights and authority and the internal sovereignty we enjoy are firmly rooted in history and they have been solemnly guaranteed to us by the British Crown. No one is entitled to modify or diminish them, except with our willing consent. We welcome therefore this extension of the terms of reference which might help to bring about, a more acceptable state of affairs without in any way interfering with our rights.

His Highness the Maharaja Jam Sahab of Nawanagar : Your Excellency : Your Highnesses : It is with great pleasure, that I rise to second the resolution moved by His Highness the Chancellor.

It is evident that any scheme for the future constitution and governance of British India would be incomplete without a real adjustment of relationship between British India and the Indian States, and it is a matter of satisfaction to us that the Simon Commission have realised this vital aspect and have extended their terms of reference so as to include an examination of the relations between British India and the Indian States.

Points of contact between the two Indias are bound to be many and varied ; and a machinery for an equitable adjustment of their respective interests is of paramount importance.

We welcome the fact that Sir John Simon has given this question serious consideration and has suggested a tangible proposal for its solution which has received the approbation of the Prime Minister. The Commission have extended their labours and we of this Chamber wish the Commission every success in this their fresh undertaking.

But it must be realised that though the Commission are going to formulate certain recommendations relating to this important question, no evidence has been taken from the governments of the States or from representatives qualified to speak on behalf of the States. We are not aware whether any evidence of any kind has been placed before the Commission. Their terms of reference, until recently amplified, precluded them from considering the question of Indian States and it is inconceivable that they could have received any evidence either from British Indian politicians or even from the Government of India regarding this extremely complicated question. We certainly have not placed our views before them. The question is already a very difficult one and so far as the Statutory Commission is concerned, it has been made more difficult by the absence of any views or evidence from the parties directly concerned. The danger, to our minds, lies in opinions being formed from the Report of the Indian States Committee, which is already out and with certain conclusions of which, we are not only not in agreement, but to which we are diametrically opposed.

The Commission is thus faced with a heavy task, but we realise at the same time that it is in a position which enables it to take a broad view of the whole question. We have a position of our own, secured and guaranteed to us, under treaties and engagements with the Crown, and any adjustment that leaves this constitutional position unaffected in any way, will be acceptable to our Order, if it ensures a better economic understanding between the two components.

In my humble opinion, it would be an advantage if the question of the Indian States is not allowed to be a subject for discussion as a matter of party politics. The Commission can hardly avoid the consideration of the economic position and the claims of the States *vis a vis* the Provinces ; and I consider that our claims are so strong that many—if not all of them—will receive direct or indirect support in the Commission's Report.

I have much pleasure in seconding the Resolution.

His Highness the Maharaja of Dewas (Senior Branch) : Your Excellency Your Highnesses : I further support this Resolution.

We are glad that Sir John Simon and his colleagues have at last recognised that their recommendations would be incomplete if they left out of consideration the problem of the Indian States. This problem, so far as it concerns

the Statutory Commission, is essentially a problem of political contact. It is not a matter of constitutional changes: for neither the Simon Commission nor any other body is entitled in any way to change the relations that subsist between the Indian States and the Crown. But Sir John Simon has made his point clear. His view is that any recommendations made with regard to change of government in British India would have repercussions on Indian States, and therefore without a full consideration of the question their recommendations would be incomplete. With this point of view every one would agree. It would, of course, have been better if this Chamber had been consulted before the decision was taken by His Majesty's Government to enlarge the scope of the Statutory Commission to include this subject. But we make no complaint about it. We only ask that the Commission should not travel beyond its legitimate scope of discussing the changes in British India as they might affect the States and claim for itself the right of declaring what our rights are and what our relationship with the Crown should be. So astute a lawyer as Sir John Simon is not likely to go beyond his province and we trust that whatever be the recommendations that he and his Commission might make, they will contain nothing which will detract from the States' dignity and authority at present enjoyed by the States and their Rulers.

His Excellency the Viceroy: I am sure that what Your Highnesses have said will be of great assistance to Sir John Simon and his colleagues. I am quite sure that it is unlikely that they will desire, in the absence of opportunity of taking evidence to which Your Highnesses have alluded, to form any final opinion upon matters in regard to which they would be the first to recognise that their information is incomplete, but I hope it may be within their policy to outline for further examination some of the principal problems which their study of the British India side of the questions must make apparent. Some of the principal lines of advances which must be explored if closer unity should be attained. In that task they will have what Your Highnesses have said this morning to assist them. The resolution has been moved and seconded in the form in which it appears on the paper.

(The resolution was carried unanimously).

Resolution by His Highness the Maharaja of Alwar regarding the policy of separation of British India from the British Empire.

His Highness the Maharaja of Alwar: In our relations with the Crown and the Imperial Government the most important word to deal with is paramountcy. Similarly to-day in relation with the other two-thirds of India I have had the privilege of tabling in my name a Resolution that deals with that all-important, yet alluring word "independence". Independence is really the law of life. You will excuse me for making a digression, briefly indeed, into philosophy, but ever since, according to the Advait philosophy, Divinity separated itself from diversity nature is calling the spirit to reach back to its ultimate source, and the struggle of life, the struggle of existence is nothing else but for independence. Every human being, every animal every insect, every form of life in all its daily tasks is seeking nothing else but independence. Whether it is physical, mental or spiritual, the natural tendency, the inherent tendency, is to seek independence. I believe that this thesis will not be denied by anyone, but it is when we come to consider its relationship in practical, mundane, sordid, human affairs, that we have to accept the bondage of discipline. For independence, were it indeed to start from its very origin, would mean that the child as soon as it grew up to think for itself should be

given freedom from the care of its father and its mother ; or later should be given the choice to leave its school or even not to go to school at all. The subjects of a kingdom or of a State would then claim independence not to be ruled not to be governed by any system—autocracy, democracy or any other “cracies”—and most of these “cracies” are very closely allied to hypocrisy. Independence is the inherent law of nature, but in its application civilisation through centuries has discovered that it must have certain limitations, and these limitations are all contained in the word “discipline” which carries with it certain duties. Undoubtedly these duties are self-imposed, or imposed by Society. They may start from families, communities, societies, nationalities, and inter-nationalities, but nevertheless they are for the sake of guiding the traits of human nature into right channels in order that it may ultimately achieve independence ; but this is the point that I want to make—that independence does not come by tearing down other people’s houses, robbing them of their property, by marching into their domains and claiming possession ; independence comes really from within the spirit, and that is true independence. It is only in relation with its practice in mundane affairs, where it is exercised under certain misconceptions, that difficulties in this world begin to arise. What is the world ? It is in other words a misunderstanding, for, were there a correct understanding of the situation, there would be no misunderstanding, and then there would be no world. Having made this digression into a subject not closely connected with the Chamber of Princes,—nevertheless the Resolution which I am to move is one that is closely associated with its term. If each one in his own entity or in the comity of nations or societies claimed to exercise that function there would be naturally chaos. The same word applies to politics, to administrations, to matters connected with Governments of States—here I am not talking only of Indian States—whether they be in India or outside it. Therefore, while we have been progressing with the assistance of the British Government towards our natural goal, a psychological time has arrived when questions regarding British India and Indian India are on the tapis. There was a Butler Committee, there was—and in fact there is still—a Simon Commission. What the fate of one has been has already been divulged in the Chamber. What the fate of the other will be has already been discussed widely abroad. But that is not the proposition. The proposition is to what common goal are we going to aspire ? The common goal is conditional and circumscribed by limitations and by conditions. In our case the condition is that of our treaties, engagements and “sanads”. I believe that the greatest honour that a human being can possess is the honour of his word. These words were given by our ancestors, and they are our proud possession to-day. In respect of British India the condition is allegiance and fidelity to the Crown, and, within that sphere, as much independence can be sought as would allow our own country to hold its head high in relation to its sister dominions.

It is therefore the second part to which I am going to refer to-day, the part where Dominion Status was proclaimed and has been acknowledged to be the goal, and about which Your Excellency made the momentous announcement of what is the goal before British India. I have no desire to trespass on that sacred soil, although I am standing on it because Delhi also is British India, but nevertheless figuratively and at any rate vocally I have no desire to trespass into the domains of politics in connection with British India for the simple reason that we have our different destinies to work out, even though we may, as far as our country is concerned, be designated under the one name of Indians. But, as far as that is concerned, even if the States may be designated under the terminology of the Indian States, yet each one has its own entity, its own

problems to work out. In connection with British India, the goal, that was so clearly put before the country by Your Excellency in your momentous announcement, is one towards which—and now I will give only my personal opinions—we might all unanimously combine in the Indian States to wish British India wholeheartedly every success, and it is for British India to combine together to achieve, a goal which has already been arrived at in other self-governing Dominions. Events recently have taken a different turn, and for reasons that I am not, I hope, altogether incapable of understanding, but nevertheless which pass my comprehension, from the domain of practical politics. Allusions have been made, resolutions have been passed, for complete independence and severance from the British Empire. My Resolution, therefore, aims at conveying, I am perfectly certain, the unanimous opinion of the Narendra Mandal in connection with its own inclinations, its own ideas, in fact its own inherent principles. My Resolution runs as follows :—

That this Narendra Mandal while welcoming the attainment by British India of its due place among the Dominions of the British Commonwealth, at the earliest date possible consistently with necessary safeguards and reservations in respect of all the different interests in the country, reaffirms its resolution (Agendum No. 14-B) of last year, and desires to place on record its emphatic disapproval of the policy of separation from the British Empire.

Your Excellency, Your Highnesses, I have really failed to understand what the practical result of independence would be except what may be summed up in the one word chaos. I am not prepared to go behind the minds,—I have not had the opportunity of doing so,—of those who have come to this conclusion ; but nevertheless it seems to me that the goal that has been pronounced by the Viceroy—a goal that is a legitimate one before British India, and one that has been approved by His Majesty's Government—is an honourable one which not only British Indians could combine to achieve, but it is also one for which they would, I feel certain, receive the wholehearted support of the one-third of Indian India also, namely, Dominion Status. There we could hand in hand march together to work out problems, and keeping our two individual identities separate, we could combine together in that one link towards which we all concentrate, namely, the Crown, in order that, while working out our individual destinies, we may render what is the greatest service in the political world, namely that of our mother country. In these words, Your Excellency and Your Highnesses, I commend this Resolution for your unanimous acceptance. I have only to add a very few words. I feel that whether we are working in Indian India or British India we have only one goal in view, namely, the betterment of our country, the improvement of our status, and the achievement by her of that goal where we may be the proud partners of that British Empire of which the Crown is the greatest connecting link. We may indeed, in doing so, pitch our hopes high, but to that height where our united efforts assist one another in arriving at that common goal, of the two individual entities working out their solutions and their problems, in harmony with one another, and in devotion to the Crown. With these words I commend to Your Highnesses the Resolution that I have moved.

His Highness the Nawab of Maler Kotla : Your Excellency ; Your Highnesses : I rise to second the important resolution so ably and eloquently moved by His Highness the Maharaja Saheb of Alwar.

I am confident that every Ruling Prince is opposed to and will firmly and resolutely continue to oppose any movement which aims at breaking away

from the British connection. I would like here to emphasise that the best interests of the country no less demand that a strenuous opposition should be made by our order to the whimsical demand on the part of some British Indian politicians for the so-called independence, and I would also ask all sane leaders and people of India to do the same. It will be remembered that last year this Chamber passed a resolution adhering to their policy of non-intervention in the affairs of British India repeating their assurances of sympathy with its continued political progress and expressing the dissent of the Chamber from any proposals which have for their object the equitable adjustment of relations between Indian States and British India unless such proposals proceed upon the initial basis of the British connection, and I have no doubt whatever that the Chamber stands by that resolution.

As regards the resolution, which seeks to secure the future of India on lines independent of the British connection, I would say not only as a Ruler of a State but also as an Indian, that the whole peace, tranquillity and prosperity which we find in India to-day and on which the whole political structure of the future can be built is due primarily to the benevolent results secured through British connection. Without going into details of all round progress with which we are all familiar, I can say without fear of contradiction that India owes much to Great Britain, and any attempt to sever British connection would prove disastrous to the peace, tranquillity and further progress of the country. I trust all responsible political leaders in India take this view of the independence movement and I have no doubt that our order emphatically deplores and will resist any attempt to sever British connection. With these words I wish to second the resolution so ably moved by His Highness the Maharaja of Alwar.

His Highness the Chief of Sangli : Your Excellency : Your Highnesses, I support the resolution which His Highness the Maharaja of Alwar has moved so ably and eloquently.

We Princes have a great stake in the Country. We have made notable sacrifices for the British Empire ; we have attained conspicuous progress under the aegis of the British Empire ; we feel confident that the Empire affords us the fullest opportunity of realisation of our future ; we are bound to the British Crown by inviolate and inviolable pledges. The British Empire stands for the preservation of peace, the maintenance of freedom and the development of what is best in the different units of the Empire. We therefore believe that we can have no higher destiny than that of partnership with such an Empire for the common achievement of its glorious ends. The severance of the British connection would, therefore, be the greatest disaster that could befall India and the Indian Princes. We are, therefore, definitely opposed to the policy of separation from the British Empire. This, of course, cannot mean that we are in any way hostile to the continued political progress of British India and the attainment by her of its due place among the Dominions of the British Commonwealth. We have no fear that British India with its Dominion Status will stand in the way of our welfare. Under the aegis of the British Crown we can both achieve our true destiny to the advantage of each other, to the good of the Empire, and may I say to the good of humanity.

With these words I support the resolution.

His Excellency the Viceroy :—Your Highnesses have heard the Resolution moved and seconded in the form in which it appears on the paper. Will those in favour signify the same ?

(The Resolution was carried unanimously.)

Reply of the Members and Representative Members to His Excellency's Opening Address.

His Highness the Maharaja of Patiala:—Your Excellency; on behalf of my brother Princes I have the honour to convey to Your Excellency our best thanks for the courteous attention with which you have presided over our deliberations, which, in this session, as I believe Your Excellency will agree, have been of unprecedented importance for the future of the Princes. We feel sure that we need not apologise to Your Excellency for our plain speaking; since we feel sure that it is the desire of Your Excellency and your Government and His Majesty's Government that we should, in discussion of matters so important as these, employ the most open terms, I need not assure Your Excellency that I and my brother Princes have perused with the greatest care the speech which Your Excellency delivered to us on the opening day, and I should like, with Your Excellency's permission, before I deal with certain aspects of that speech in detail, to assure Your Excellency and your Government that you will never find my brother Princes and myself backward in co-operating with Your Excellency's Government in all benevolent activities designed for the welfare of India and the Empire as a whole.

We have already requested Your Excellency to take an early opportunity to appoint an impartial expert body for the examination of our fiscal and financial claims. We attach great importance to the appointment of this Committee at a date which would enable the results of the enquiry to be known before final legislation for British India of a kind likely to affect the financial and economic interests of the States is undertaken in the Imperial Parliament. There is one point which probably will not be investigated by this Committee. That point is the exemption from Customs Duty of goods imported for our personal use from foreign countries. We hope that it will be found possible, at an early date, to give effect to the recommendation for the benefit of all members of this Chamber, and that it will be found possible also to extend this courtesy to the Rulers of all States represented in the Chamber.

We have noticed with great satisfaction what Your Excellency has said about the Round Table Conference. We are confident that His Majesty's Government would desire to employ the occasion for the purpose of clearly realising what must be done to accord to us our due place in the greater India of the future. At present it is only necessary to say two things. First, that our delegations should be adequately representative and should be so composed as to ensure that the point of view of the States would be usefully and effectively presented. Secondly, that in addition to the Simon Commission's Report and that of the Indian States Committee there should be before the Conference for their consideration when relevant points arise, the record of our proceedings in this Chamber, more particularly of this Session, also the evidence which was laid by us before the Indian States Committee. We feel sure we can rely upon Your Excellency to convey this our wish to His Majesty's Government.

Your Excellency, there is a point in connection with the Report of the Indian States Committee that we desire to make clear. We hope that we shall not be taken as bound by any statement in that document, to which we have not given our assent.

By the debate which accompanied the passage of the resolution dealing with the recently announced policy of independence for British India, a policy

to which such prominence has been lately given by the press, we have made plain our conviction that for us, as well as for the greater India, of which we form a part, such a policy is in effect suicidal. Our own position is very clear on this question. We are bound to the Crown by our Engagements; and those Engagements we will never break. We do not arrogate to ourselves any right to dictate to British India, or to prescribe the policy which she will follow, provided that policy leaves us alone. But the recently enunciated ideal of independence is, as we have made clear in our debates in this Chamber, an ideal in regard to which our silence might be misunderstood. We have, therefore, expressed ourselves frankly and without hesitation, but at the same time we desire to make our attitude towards the aspirations of British India perfectly plain. We welcome the attainment by British India of that place among the other Dominions of the Crown to which she is of right entitled.

We are gratified by Your Excellency's recognition of our effective co-operation with your Government in measures of humanitarian endeavour. Such measures will always receive our active support, but it will be obvious that the States also expect assistance from Your Excellency's Government in their endeavour to deal with matters—and such there are—of a similar nature.

The co-operation which we are happy to think has won Your Excellency's approval in the matter of international obligations undertaken by Your Excellency's Government leads us to the remark that such co-operation is likely to be more effective if occasion be taken for previous consultation with the States. We gladly acknowledge the steps which have been taken by Your Excellency's Government to ensure that the conclusion of international obligations on behalf of India cannot be assumed *ipso facto* to bind without their consent the States whose internal autonomy is safeguarded under Treaties and Engagements. As we have already assured Your Excellency, our co-operation will never be sought in vain, and we may here and now give you our unqualified promise of joining with Your Excellency's Government in its efforts to extirpate the plague of locusts which appears now to menace this country.

The matter of international obligations brings us at once to the question of the problem of Indians overseas in which we scarcely, less than British India, are ourselves concerned. Last year, I had occasion to refer briefly to our concern for Indians who have settled in other parts of His Majesty's Empire. At that time we had the case of East Africa only before us. Events that have happened since in Ceylon and Fiji require that we should re-affirm our attitude towards the question of the status of Indian communities overseas.

In countries like East Africa, a substantial proportion of Indians are subjects of Indian States. For them, our solicitude is direct. We are all Indians, and the higher the status of an Indian the greater must be his humiliation if the status of a fellow Indian, whether he be a subject of His Majesty the King Emperor or the subject of an Indian Prince, is lowered in comparison with that of any other class of His Majesty's subjects in any part of the British Commonwealth. We are vitally interested in the position of Indians overseas and we assure Your Excellency that the efforts of your Government to improve that position have the fullest support of our Order. We regard Kenya as a test case. We claim no special privileges for our countrymen, we can not be satisfied with less than complete equality of political status and economic opportunity for them throughout the great Empire of the King Emperor.

I will now with Your Excellency's permission deal briefly with other points which seem to my colleagues and myself deserving of the attention of

Your Excellency's Government. We have noted what Your Excellency has told us in your introductory speech in regard to the stage at which action upon the report of the Roads Committee now stands. In this connection, I would venture to bring to Your Excellency's attention the representation which has been put forward by us regarding our claim to our share in the petrol duty, which will form the main financial backing of that Committee.

As regards the question of bringing all the States into direct relations with the Viceroy, we have noted Your Excellency's remarks as to the difficulties of arriving at a decision in regard to this question at the present stage. Nevertheless we beg to invite Your Excellency's attention to the principle enunciated in the Montagu-Chelmsford Report that on general grounds, relations between States and Government are clearly a matter for the Central Government, more especially as the growth of responsibility in the Provincial Governments cannot but unfit them in some degree to act in political matters as mere agents of the Government of India. We hope that the States which enjoy representation in the Chamber will at an early date receive the benefit of the change ; what we ultimately desire is that all the States should receive the benefit of a common policy and be hereby spared differentiation which, as we know, has occurred, for example, in consequence of provincial re-arrangements and which would, if continued, cause disappointment.

As regards the present policy of Your Excellency's Government respecting Railways, there are many aspects of that policy, which, from our standpoint, require to be reviewed. Certain of these aspects have formed the subject of discussion and consideration before now and we ask than so far as the question of retrocession of jurisdiction to the States is concerned, efforts should be made to give effect without further delay to the conclusions reached in Simla so long ago as September, 1923.

We also desire that in the case of lines which pass through the territories of the States, but have been, or are going to be, built by other agencies, the right of States to have a financial interest in them should be clearly recognised and effectively observed. Similarly we urge that in the case of lines within the States which by agreement fall to be purchased at a certain date, the States should have the first option to purchase them and liberty to manage them.

We also desire to invite Your Excellency's attention to the fact that the interest in Railways of our States individually and collectively is already large and bids fair to grow larger. We take it that the extension of the Railway mileage of the country is still an objective. This objective is shared by the States with Your Excellency's Government, because the development of communication in the States and the growth of their commerce depends upon the attainment of that object. Consequently we feel that every encouragement should be afforded towards such attainment. It would be a relief to the finances of Your Excellency's Government also if the States were enabled to provide capital for the construction in future or for the re-imbursement of the capital cost of Railways already constructed which pass through their own territories and indeed beyond them. But this would only be possible when the present policy has been liberalised, when investment in Railways is made sufficiently remunerative, and the States are not debarred from managing lines which they can build or pay for.

There is one matter which we should like with Your Excellency's permission to mention specifically at this time. Many of us have considered and

we believe not without justification, that the manner in which the compilation, known as Aitchison's Treaties, has from time to time been revised, is not such as to commend that work to us as the authoritative work of reference which we should desire it to be. From time to time the narrative portions which precede the copies of our Treaties, Engagements and Sanads have been modified, without our consent, in a manner which we believe to be detrimental to our interests. The comparison of successive editions has brought to our notice modifications and changes in phraseology, as well as in matter, which, while they doubtless reflect the policy of the Government of India of the time being, have not been such as to commend themselves to us as just or accurate. Further we have had occasions to notice that the translations of original vernacular documents do not in many places adhere strictly to the original terminology. May we suggest to Your Excellency that in a compilation such as Aitchison's Treaties, which professes to be an authoritative embodiment of the documents in which are enshrined the specific relations existing between the States and the Crown, it is necessary that the co-operation of the parties concerned should be sought before an accurate and impartial account thereof can be assured? We understand that the new edition of Aitchison's work is on the point of being issued. We fear that the view which we have here put forward, should it be accepted by Your Excellency's Government, would entail a certain delay. But we feel very strongly that a speedy issue would be dearly purchased if it were to result in a fresh edition, containing passages to which we may be obliged to take, in defence of our common interests, serious exception. Our definite suggestion, therefore, which we venture to put forward is that the narratives and the translations intended by the Political Department for this issue, should be referred to the States concerned for their comments, and further, that before these narratives and documents are accepted by Your Excellency's Government as authoritative and worthy of embodiment in the new issue, they should be approved by a Committee consisting of officers of the Political Department and the Standing Committee of the Chamber.

Your Excellency, we need not refer at any length to that passage in Your Excellency's speech which deals with the question of intervention, since we have already conveyed to Your Excellency, in our debate, our hopes and wishes in this matter. We earnestly desire an opportunity of discussing the question with you; and we may add that we are not without hopes that such a discussion as we propose would not fail to achieve a solution which would be equally satisfactory to Your Excellency and to ourselves.

Your Excellency has referred to the present condition of the Chief's Colleges and has expressed a hope that they might again enjoy the support of our Order in the hope of which they were originally created. On this point we have a practical suggestion to make. By Your Excellency's wish a committee has been appointed to make recommendations as regards the training of minor Princes. We suggest that the views obtained from the governing bodies of the Colleges and the local authorities on the draft scheme prepared should be referred to this Committee, in order that by that means the Chamber may get an opportunity of dealing with this question in a thorough and exhaustive manner.

In expressing your appreciation of the resolution which we moved and unanimously carried in this Chamber pertaining to the providential escape of Your Excellencies from the dastardly attempt at wrecking your train, you very gracefully referred to the evidence of our esteem and personal regard

and friendship which you had received during your four years' stay in this country. You thus brought to our mind the fact that according to constitutional practice Your Excellency has only one more year of office in this country. It is our earnest hope that His Majesty's Government should be pleased to invite Your Excellency, and that Your Excellency should find it possible, not to relinquish the responsibilities of your office until the many problems of a momentous and vital nature which clamour for immediate solution and which affect the States and British India alike have been satisfactorily solved.

Concluding remarks by His Excellency the Viceroy.

His Excellency the Viceroy :—Your Highnesses will not wish me at this late hour to detain you for more than a minute or two before formally closing the proceedings of this session of the Chamber of Princes, but I think I may as President add a word or two upon anything that appears to me to call for observation. I would begin by making one or two general comments upon the proceedings of the Chamber which are, I think, of an encouraging kind. The first is—no doubt largely due to the importance of the business that was expected to be transacted—that the attendance of the Chamber on this occasion has been very satisfactory, both in numbers and in its representative character. The second is—and I hope Your Highnesses will have been satisfied because of it—the effect produced by your decision last year to throw your proceedings open to the public gaze. I cannot help thinking myself that the experience of the last few days, both in this Chamber and the Press, has shown that the Public take very considerable interest in what Your Highnesses do in this Chamber, and that what you say and do here exercises a considerable influence upon public thought and opinion outside. I would only add one additional comment in that regard which is, I think, that the interest of the proceedings of this House will be even enhanced as Your Highnesses feel moved to resort to greater freedom of debate among exponents of different views. The general character of our proceedings seems to have been, thanks to those who have taken part in them, very businesslike and expeditious, and it is remarkable, I think, that we should have been able to conclude our programme of business within time, having regard to the immensely wide subjects that Your Highnesses brought forward for treatment on successive days. Those subjects for the most part as His Highness the Chancellor has reminded us, have not yet reached the final stage of decision, but for my own part, I readily recognise, as I have had occasion to say more than once here during the discussion, that whether or not I am able to see eye to eye with you on all the subjects that we have discussed, I should be the first to acknowledge the valuable help and assistance that I, the Government of India, and His Majesty's Government will derive from the frank expressions of opinion that have been evoked in this session. I do not think that either Your Highnesses or I have any cause to reproach ourselves for what might be termed any excessive economy of opinion, and I take it, as does His Highness the Chancellor, that it is matter for satisfaction to us all that we should feel at liberty to speak with complete frankness even where there are large differences of opinion on particular subjects. It is impossible to expect any differences of opinion to be resolved unless they are frankly stated and unless those stating them feel themselves able to discuss them as friends. His Highness the Chancellor has, in a reference to the Round Table Conference, made two or three observations, to which I think I can reply in a sentence. He asks that the representatives of the Princes at that Conference should be such as

would ensure their case being adequately represented and would give confidence to the general body of the States. So far as it lies in my power I should be willing to give an assurance that all my influence and energies will be directed to secure the fulfilment of that hope, and I should value any assistance that the members of the Standing Committee or individual Princes might desire to give me as to what their feelings would be regarding their representation in detail. Then he also asked that steps should be taken to make available for the Conference a report of these debates and the evidence laid on behalf of the Princes before Sir Harcourt Butler's Committee. I shall certainly take steps to see that that desire of Your Highnesses is transmitted to the authorities concerned. His last point in that connection was that it should be made plain that the Princes were not bound by anything contained in Sir Harcourt Butler's Committee's Report to which they have not formally given their assent. That I take it goes without saying, and as far as I am concerned I have never had any misunderstanding on that point. On matters to which the Princes take exception in Sir Harcourt Butler's Committee's Report, and to which they have not given their assent, they should not be held to be formally bound. Generally, I appreciate very greatly, as I have said in my opening observations, the fact that the Princes as a whole, with goodwill and unity, should have felt able to associate themselves with the procedure suggested and outlined by His Majesty's Government for the treatment of these important matters. I am quite certain, and have no hesitation to reaffirm my view, that the Order of the Princes and the interests of the States—using that word in a wide sense—have nothing to lose and every thing to gain by publicity and an open examination of their case, and I have no doubt whatever that Your Highnesses who have taken part in these proceedings will have a great deal to contribute—and a great deal must be contributed if the problems conditioning the whole future of India are to be adequately surveyed and tackled. I would conclude with one more remark. His Highness the Maharaja of Alwar has made what I hope he would permit me to describe as a most interesting and in many ways a remarkable speech this morning on the subject of Independence. I have had many things to say about it before and must repeat them again. It is quite evident from the debates that have taken place in this Chamber in two successive sessions that if Independence were to become a concrete political programme of British India, those who pursue it would be successful in destroying all hope of unity for all India. I think that Your Highnesses have rendered a public service by making this abundantly plain to the world. His Highness also raised other points which he will excuse me from referring to because my information on them is still inadequate, but they will not be overlooked. I should like to thank Your Highnesses, as you have courteously thanked me for presiding, for the assistance in the Chair that you have extended to me. There is one other matter which I should like to allude to before I sit down, that is the personal gratification—and I think in this matter I speak on behalf of all Members of this Chamber—which I as its President have derived on learning of the decision of His Exalted Highness the Nizam of Hyderabad to associate himself with its work. I have little doubt that the Chamber is entitled to take that as a recognition of His Exalted Highness' judgment of the valuable work that the Chamber is doing, and represents a desire on his part to strengthen the hands of those who are doing it. I find it difficult to exaggerate the importance to the general body of the States of the fact that His Exalted Highness should have thus publicly identified himself with the general organisation of the States represented by this Chamber. I think that concludes our business.

(The Chamber then concluded its session.)

Resolutions passed by the Chamber of Princes (Narendra Mandal) during the session held on the 25th February 1930 and following days.

Agendum No. 1.

Resolution by His Highness the Maharaja of Patiala expressing gratification at the complete recovery of His Imperial Majesty the King-Emperor.

Resolved.—That the Ruling Princes and Chiefs represented in this Chamber request His Excellency the President of the Chamber to be so kind as to convey to His Majesty the King-Emperor an expression of their deep and unfaltering devotion to the Throne, together with their profound happiness and relief at His Majesty's complete restoration to health.

Agendum No. 1-A.

Resolution by His Highness the Maharaja of Patiala regarding the recent dastardly attempt on the life of Their Excellencies.

Resolved.—That this Chamber places on record its emphatic condemnation of the recent insensate and dastardly attempt on the life of Their Excellencies, and tenders its heartiest congratulations on their most providential escape.

Agendum No. 2.

Resolution of condolence by His Highness the Maharaja of Patiala in connection with the death of Their Highnesses the Maharaja of Bharatpur, the Maharaja-Rana of Jhalawar and the Raja of Lunawada, and the Thakore Saheb of Rajkot.

Resolved.—That the Chamber of Princes records its heart-felt sorrow at the lamentable demise of Their Highnesses the Maharaja Sahib of Bharatpur, the Maharaj-Rana of Jhalawar and the Raja Saheb of Lunawada and Thakore Saheb of Rajkot, together with its sense of the loss thereby sustained by the entire Order of Princes and offers its sincerest sympathies and condolences to the bereaved families.

Agendum No. 3.

Resolution of welcome by His Highness the Maharaja of Patiala to Their Highnesses the Maharaj-Rana of Jhalawar and the Raja of Narsingarh.

Resolved.—That the Chamber of Princes offers its heartiest congratulations to Their Highnesses the Maharaj-Rana of Jhalawar and the Raja Sahib of Narsingarh on their accession to the Gadi, and welcomes them in its midst wishing them a long and prosperous rule.

Agendum No. 4.

Statement by His Highness the Maharaja of Patiala reviewing the work performed by the Chamber of Princes during the past year.

Resolved.—That the Chamber of Princes passes a vote of thanks to His Highness the Maharaja of Patiala for his services rendered in the interests of the Princes and States during the past twelve months.

Agendum No. 5.

Statement by His Highness the Maharaja of Kapurthala regarding his work as a representative of India at the meeting of the League of Nations in 1929.

Resolved.—That the Chamber of Princes passes a vote of thanks to His Highness the Maharaja of Kapurthala for his valuable work as a member of the Indian Delegation to the League of Nations.

Agendum No. 6.

Resolution by His Highness the Maharaja of Patiala regarding amendment of Regulation 3 of Part I of the First Regulations relating to the appointment of Chancellor and Pro-Chancellor.

Resolved.—That this Chamber recommends to His Excellency the Viceroy that the following be substituted for the first paragraph of Regulation 3 of Part I of the First Regulations regarding the appointment of Chancellor and Pro-Chancellor :—

In the event of a casual vacancy occurring from any cause in the office of the Chancellor, the Pro-Chancellor shall act as Chancellor during the vacancy and be designated Officiating Chancellor, provided that, if the Chancellor goes out of India on duty connected with the work of the Chamber, he shall retain the office of Chancellor while abroad, the Pro-Chancellor performing his duties in India during his (the Chancellor's) absence. In the event of a casual vacancy occurring from any cause in the office of the Pro-Chancellor, the Member who at the last preceding election of the Standing Committee obtained the highest number of votes shall take his place, and failing him, the Member who stood second in the voting, and so on.

Agendum No. 7.

Resolution by His Highness the Maharaja of Patiala regarding amendment of Rule 3 of the Rules of Business relating to the notice to be given for proposing subjects for inclusion in the agenda of the Chamber.

Resolved.—That this Chamber recommends to His Excellency the Viceroy that Rule 3 of the Rules for the Conduct of Business in the Chamber be

amended, by inserting the words " at least " before the words " two months ", to make it permissible for Members to give written notice of their intention to propose any subject for inclusion in the agenda more than two months before the session of the Chamber of Princes.

Agendum No. 8.

Resolution by His Highness the Nawab of Maler Kotla that votes cast in favour of such Members as have intimated their intention not to stand for election shall be considered as cancelled.

Resolved.—That this Chamber recommends to His Excellency the Viceroy that the following be added at the end of Rule 3 of the Rules for the Elections of the Chancellor and Pro-Chancellor and the Standing Committee, forming respectively Appendices A and B to the First Regulations of the Constitution of the Chamber :—

" Votes recorded in favour of such Members shall be considered as cancelled."

Agendum No. 9.

Recommendation of the Standing Committee in regard to the question of Radio Broadcasting in British India and its application to Indian States.

Resolved.—That the recommendation of the Standing Committee on the subject be accepted by the Chamber of Princes.

Agendum No. 11 (General).

Resolution by His Highness the Maharaja of Patiala regarding the appointment of the Indian States Committee.

Resolved.—That this Chamber places anew on record its appreciation of the actual sympathy evinced by His Excellency the Viceroy in supporting the request of the Princes for the appointment of a Committee to enquire into their problems.

Agendum No. 11 (1).

Resolution by His Highness the Chief of Sangli regarding the authorisation of a representative committee to negotiate on behalf of the Chamber in pursuance of the resolutions adopted.

Resolved.—That this Chamber authorises the Princes of its Standing Committee, with power to co-opt, to take such general action as may be necessary from now till the next meeting of the Chamber, and especially to undertake negotiations in furtherance of the Resolutions adopted at this session and on other occasions.

Agendum No. 11 (2).

Resolution by His Highness the Nawab of Bhopal regarding Sanads, Treaties, and Engagements and the position of the Paramount Power in respect of them.

Resolved—

- (a) that this Chamber is of opinion that the grant of a Sanad by the Paramount Power confirming to a State a right which inherently belonged to it does not entitle the Paramount Power to claim that it has created that right in the exercise of its paramouncy.
- (b) that this Chamber is of opinion that no Sanads imposed by the Paramount Power can supersede previously existing treaties or engagements between it and a State.

Agendum No. 11 (3) (part 1).

Resolution by His Highness the Nawab of Bhopal regarding the revision of the constitution of the Chamber of Princes and enlargement of its powers.

Resolved.—That this Chamber is of opinion that the time has arrived to revise its constitution and to enlarge its powers.

Agendum No. 11 (3) (part 2).

Resolution by His Highness the Maharaja of Alwar to the effect that matters affecting the personal and dynastic status of Rulers should be the subject of decision by His Excellency the Viceroy, as representative of the Crown, in consultation with selected members of the Order of Princes.

Resolved.—That this Narendra Mandal is of opinion that matters affecting the personal and dynastic status of Rulers should be the subject of decision by His Excellency the Viceroy, as representative of the Crown, in consultation with selected members of the Order of Princes.

Agendum No. 11 (3) (part 3).

Resolution by His Highness the Maharaja of Nawanganar regarding the creation of suitable machineries to adjudicate on matters of justiciable nature and to arbitrate on those of non-justiciable nature in issue between the British Government or British India and the Indian States or between the Indian States inter se.

Resolved.—That this Chamber recommends that suitable machineries should be available as of right to adjudicate upon all matters of justiciable nature and to arbitrate finally upon those of non-justiciable nature in issue between the British Government or British India and the Indian States or between the Indian States, *inter se*, provided that in the last named case both

parties agree to the employment of these machineries. In case they do not the present method for settlement would continue.

Agendum No. 11 (4).

Resolution by His Highness the Maharaja of Kashmir regarding the appointment of an expert body to explore the fiscal claims of the States.

Resolved.—That this Chamber requests His Excellency the Viceroy to appoint an independent expert body to explore the fiscal claims of the States after ensuring that the personnel and terms of reference are settled in agreement with the Standing Committee of this Chamber.

Agendum No. 11 (5) (part 1).

Resolution by His Highness the Maharaja of Bikaner regarding the definition of the bases of intervention in the internal affairs of the States.

Resolved.—That this Chamber considers that the time is now opportune for defining by joint consultation between the nominees of His Excellency the Viceroy, and those of this Chamber the bases of intervention in the internal affairs of the States.

Agendum No. 11 (5) (part 2).

Resolution by His Highness the Maharaja of Bikaner regarding the doctrine of Usage and Political Practice.

Resolved—

that this Chamber is of opinion that the doctrine of Usage and Political Practice as expounded by the Indian States Committee is neither sound in its conception nor fair in its application to the relations subsisting between the Crown and the Indian States. That doctrine has in the past been the cause of serious and unjustifiable encroachments upon the internal sovereignty and autonomy of the Indian States which are recognised by solemn Treaties, Engagements and Sanads.

that a course of practice followed with respect to individual States by the Political Department of the Government of India in certain eventualities which has neither been consistent nor uniform, or to which from time to time exception has been taken by the States concerned, or which arose during minority, joint administration or any such interregnum when the Government of India held the position of trustee with respect to the State concerned, cannot afford any basis for intervention by the Government of India to the prejudice of the acknowledged rights of the States.

Agendum No. 11 (6).

Resolution by His Highness the Maharaja of Alwar regarding the relationship of the States with the Crown.

Resolved.—That this Narendra Mandal places on record its considered opinion that the true relationship of the States with the Crown is founded upon—

- (a) treaties and engagements which bind parties, and
- (b) Usage which is established by mutual consent.

This Narendra Mandal is therefore of the opinion that the obligations of the Crown and the States arising under the two aforesaid heads remain unaffected by the doctrine of Paramountcy referred to in the Indian States Committee's Report.

Agendum No. 11 (7).

Resolution by His Highness the Maharaja of Kashmir regarding the creation of effective machinery for the settlement by mutual agreement of matters of common concern to British India and the States.

Resolved.—That this Chamber recommends the creation of effective machinery for the settlement by mutual agreement of matters of common concern to British India and the States.

Agendum No. 12.

Resolution by His Highness the Maharaja of Patiala regarding the Viceroy's Announcement of 31st October, 1929.

Resolved.—That this Chamber cordially welcomes the announcement made on 31st October, 1929, by His Excellency the Viceroy and hopes that it may yet help to allay feelings of distrust and discontent throughout India.

That this Chamber notes with satisfaction the proposal to call a Round Table Conference in London of all the interests concerned and welcomes the opportunity afforded to the Indian States to participate in it.

That this Chamber desires that in view of the opinions expressed during the present session. His Excellency the Viceroy may be pleased to recommend that necessary opportunities be provided for consultation between His Majesty's Government in Great Britain and the representatives nominated by the Princes in regard to such practical proposals [directly or indirectly affecting the Indian States, as may emerge from the Round Table Conference or from the recommendations of the Indian States Committee's Report.

Resolution by His Highness the Maharaja of Patiala regarding the Indian Statutory Commission.

Resolved.—That this Chamber heartily welcomes the realisation by Sir John Simon and his colleagues that any recommendations made by them regarding British India cannot but affect the historical and constitutional position of the Indian States.

Resolution by His Highness the Maharaja of Alwar regarding the policy of separation of British India from the British Empire.

Resolved.—That this Narendra Mandal while welcoming the attainment by British India of its due place among the Dominions of the British Commonwealth, at the earliest date possible consistently with necessary safeguards and reservations in respect of all the different interests in the country, reaffirms its resolution (Agendum No. 14-B) of last year, and desires to place on record its emphatic disapproval of the policy of separation from the British Empire.

